A Full and Exact

ACCOUNT,

OF THE

TRYAL

Of all the

PYRATES,

Lately taken by

Captain *OGLE*,

On Board the SWALLOW Man of War, on the Coast of *GUINEA*.

LONDON:

Printed, and Sold by J. ROBERTS, in *Warwick-Lane*. MDCCXXIII.

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The PUBLISHER
TO THE
READER.

AS the great Numbers of Pyrates lately infesting the Seas, have rendred Trade to Foreign Parts very hazardous and precarious, and prodigious Losses have accru'd to the Merchants, from the frequent Attacks, Robberies, and unmerciful Behaviour of those Villains; so nothing could be of more universal Satisfaction to the Trading Part of the World, and of Great Britain in particular, than that happy and glorious Action of Captain Chaloner Ogle, Commander of his Majesties Ship the Swallow, in destroying and extirpating so formidable a Nest of those Vermin, who were headed by, and acted in concert with that Arch-Villain Roberts; the particulars of which are amply set forth, in an Account publish'd by Authority in the London Gazette, of Tuesday the 4th of September last, which is herewith reprinted as an Introduction.

That this memorable Affair may more at large be handed down to Posterity; and that the just Reward such a vile Sort of Life deserves (and met with in the Persons of the major part of that Gang of Pyrates) may appear to the World, to deter others from the like Practices, the following Account of their Tryals at Cape Coast Castle, on the Coast of Guinea in Africa, and the Execution of many of them there, has been thought fit to be published; and all I have to say thereon is, That the Reader may depend upon its being genuine.

Admiralty Office, September 3.

Letter from Captain Ogle *Commander of his Majeſty's Ship* Swallow, *dated from* Cape Coaſt Road *in* Africa, *April the 5, 1722.*

IN mine bearing Date the 6th of *November* laſt, I gave an Account that his Majeſty's Ship's Company under my Command were on a Recovery, and that I intended in a few Days to ply to Windward and Cruize between *Cape Palmas* and *Cape Three-Points*; I ſailed accordingly the 10th Ditto: The *Weymouth* I left here, (moſt of the Men being ſick) with Orders, when ſhe was in all Reſpects fit for the Sea, to proceed and Cruize between *Cape Mount* and *Cape Three-Points* 'till the 30th of *December*.

On the 30th of *November* I ſpoke with a Ship belonging to the *African* Company, come from London, by which I receiv'd Mr. Secretary *Burchett's* Letter dated the 3d of *Auguſt*, accquainting me that the Lords Commiſſioners of the Admiralty had ordered me three Months Proviſions and Wine in Proportion to be ſent for the Uſe of his Majeſty's Ships here; the Maſter of the ſaid Company's Ship inform'd me he had the Proportion of Beef, Pork, and ſome of the Bread aboard, and that the other Proviſions with the Wine I might expect very ſoon by a Ship that was to leave England ſoon afrer he ſailed. The 7th of *January* I returned hither in Hopes to find the ſaid Proviſions were come. The Sickneſs aboard the *Weymouth* was not at all abated, but the dry Seaſon being come hindered her being further ſupplied with Water at this Place, ſo that Captain *Heardman*, with his ſmall Number of Men that were in Health, and ſome Soldiers borrowed from this Caſtle, plyed up to Windward to water at *Cape Three-Points*. I took in a Month's Beef, Pork, and Bread, which with the Proviſions I had on board, compleated me to three Months of all Species; Peaſe, and Oatmeal execepted. On the 10th Ditto the Governour here received Advice from the Dutch, that on the 6th two Pyrate Ships had taken a French Ship off of *Axim*, I left Orders here for Captain *Herdman* at his Return with his Majeſty's Ship the *Weymouth* to cruize (as ſoon as ſhe was in a Condition for the Sea) between *Cape Three-Points* and *Cape Palmas* 'till the 5th of *March*, and I forthwith got under ſail, and ranged down the Coaſt for *Widah*, but could gain no Intelligence of the Pyrates 'till arrived there, though I met with ſeveral Ships trading on the Coaſt in my Paſſage down. On my Arrival at *Whydah* I was informed that two Pyrate Ships, one of 40 and another of 24 Guns commanded by one *Roberts* had been there, and had ſailed about 26 Hours before: I found ten ſail of Ships in the Road, two of which were Engliſh, three French, and five Portugueze, they had all ranſomed at the Rate of eight Pounds Weight of Gold each; an Engliſh Ship, for refuſing to ranſom the Pyrates had been burnt with a conſiderable Number of Negroes a-board. The Pyrates being informed that a French Ship they had taken ſailed well and had formerly been a Privateer of St. *Malo*, did, notwithſtanding a Ranſom paid for her, carry her away with a Deſign to fit her for their Service and quit their 24 Gun Ship: Therefore I judged they muſt go to ſome Place in the Bite to clean and fit the French Ship, before they would think of cruizing again; which occaſioned me to ſtretch away into the Bite, and look into

into thoſe Places which I knew had Depth of Water ſufficient for his Majeſty's Ships.

On the 5th of *February* at Daylight, I ſaw Cape *Lopez* bearing W. S. W. about three Leagues, and at the ſame Time diſcovered three Ships at Anchor under the Cape, which I believed to be the Pyrates, two of them having Pendants flying. I was obliged to hawl off N. W. and W. N. W. to clear the French-mans Bank, the Wind at S. S. E. and in leſs than an Hour one of the three got under Sail and gave me Chace; and I, to give her a fair Opportunity of coming up with me without being diſcovered, kept on the ſame Courſe, with the ſame Sail abroad I had when I firſt ſaw her: About eleven that Morning ſhe got within Gun-ſhot of me and fired ſeveral Chace Guns, under Engliſh Colours and a black Flag at her Mizzen-Peek; ſoon afterwards being come within Musket ſhot, I Starboarded my Helm and gave her a Broad-ſide, and in an Hour and an half's Time ſhe ſtruck and called for Quarter, we having diſabled her very much, and ſhot down her Main-Top-Maſt; ſhe proved to be the French Ship they had taken out of *Wydah* Road, and had put into her 32 Guns and 132 Men, 23 of whom were Blacks, ſhe had 26 Men killed and wounded the, Captain's Name was *Skyrm*, who had a Leg ſhot off; the Priſoners informed me, that the two Ships they left at Anchor under the Cape were *Roberts* in the 40 Gun Ship, and the other 24 Gun Ship they had that Morning quited for the Prize. The 6th Ditto in the Night, I left the Prize, having put her into the beſt Condition for ſailing ſo ſhort a Time would allow of, and ordered her away to the Iſland *Princeſs*. I made the beſt of my Way to Windward again, in Order to deſcry the two Ships that remained at Anchor under Cape *Lopez*. On the 9th Ditto in the Evening, I made the Cape, and ſaw two Ships ſtreching-in under the Land about five Leagues Diſtance, having Day-light enough, I was obliged to ſtand off and on all Night, and in the Morning I ſtretched in under the Cape, where I ſaw at Anchor three Ships, the biggeſt of them with Jack, Enſign, and Pendant flying, whom I lay up with 'till I got within Random ſhot, when the Wind took me a-head and made two Trips, in which time ſhe ſliped and got under Sail and came down upon me, with Engliſh Enſign and Jack, and a black Pendant flying at her Main-top-maſt-head, and I ſhewed her a French Enſign, when ſhe came within Piſtol ſhot I hoiſted my proper Colours and gave her a Broadſide, which ſhe returned, and endeavoured to get from me, by making all the Sail ſhe could, but in leſs than two Hour ſhot her Main-top-maſt down, and than ſhe ſtruck, her Mizzen-top-maſt being ſhot away ſome time before: The Captain, whoſe Name was *Roberts*, was killed, his Prize (formerly called the *Onſlow*, and ſince by the Pyrates the Royal *Fortune*) had 40 Guns mounted and 152 Men, 25 of whom were Negroes. The next Day I plied back again for the Cape, in order to take out the 24 Gun Ship the Pyrates had quitted, and to reſtore to the third (which was a Ship freighted by the African Company —— *Hill* Commander,) ſuch Proviſions as the Pyrates had robbed him of, together with his Surgeon and four Men, *Roberts* having ſeized her the Day before I took him, as ſhe was coming-to under the Cape to Water; but anchoring again under the Cape the 12th ditto, I found there only the Pyrate Ship of 24 Guns without any Body aboard her, all the Mens Cheſts being broke open and rifled, which occaſions me to believe that by the ſpeedy ſailing of the aboveſaid Company's third Ship, which had but a very ſmall quantity of Water or Proviſions a-board two Days before, they muſt have robbed her otherwiſe could not poſſibly have ſailed ſo ſoon. The Pyrates informed me that they had left in their Cheſts aboard a conſiderable Quantity of Gold, but not above 10 ounces of it we

found a-board her; The Quantity of Gold I have got out of all the Prizes will amount to about 3000l. and I beg the Lords of the Admiralty will uſe their good Offices with his Majeſty that the Prizes may be ſhared among the Captors. The 18*th* of *February* I compleated Watering and ſailed for *Princeſs*, from whence I took out the Prize and then proceeded directly for *Cape Coaſt*. The three Prizes loſt Company with me in a *Tornado* near St. *Thomas*. The 15*th* of *March* I arrived here, where I found the dry Proviſions and Wine, which arrived not here before the latter end of *February*. The 26*th* of the ſame Month the *Weymouth* anchored here, and then proceeded to the Trial of the Pyrates, Captain *Heardman* ſitting as Preſident of the Court; I being Captor, was diſqualified from ſitting. The 3*d* of *April* the three Prizes arrived. As ſoon as the Court has made an end of trying the Pyrates I ſhall loſe no Time, but according to my Inſtructions, ſhall proceed by the Way of *Barbadoes* and *Jamaica*, to *Great Britan*.

The

THE TRYALS OF THE PYRATES,

Lately Taken by

His *Britannick* Majesty's Ship

THE

SWALLOW.

ACCORDING to the Direction in the Commission, Summonses were sent to Lieutenant *John Barnsley*, and Lieutenant *Charles Fanshaw*, to attend at *Cape Coast Castle*, to make up the Number required for a Court.

SUMMONS.

BY Virtue of the Power and Authority to Us given from the King, under the Seal of Admiralty, You are hereby required to attend here, and make one of the Court, for the Trying and Adjudging of the Pyrates lately taken by His Majesty's Ship the *Swallow:*

To Mr. John Barnsley, *First Lieutenant of His Majesty's Ship the* Weymouth.

Given under our Hands this 28th of *March*, 1722, at *Cabo Corso* Castle, on the Coast of *Africa.*

Mungo Herdman,
James Phipps,
Henry Dodson,

SUMMONS.

BY Virtue of the Power and Authority to Us given from the King, under the Seal of Admiralty, You are hereby required to attend, and make one of the Court for the Trying and Adjudging of the Pyrates lately taken by His Majesty's Ship the *Swallow*.

To Mr. Charles Fanshaw, *Second Lieutenant of His Majesties Ship the* Weymouth.

Given under our Hands this 28th of *March*, 1722, at *Cabo Corso* Castle, on the Coast of *Africa*.

Mungo Herdman,
James Phipps,
Henry Dodson.

The Court consisted of

Captain *Mungo Herdman*, President.

James Phipps, Esq;	Mr. *Edmund Hyde*,
Mr. *Henry Dodson*,	Mr. *John Barnsley*,
Mr. *Francis Boye*,	Mr. *Charles Fanshaw*.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corso Castle *on the Coast of* Africa, March *the* 28*th*, 1722, *for the Tryal of such Pyrates as were taken in the* Royal Fortune *and* Ranger.

Captain *Mungo Herdman*, President.

James Phipps, Esq;	Mr. *Edmund Hyde*,
Mr. *Henry Dodson*,	Mr. *John Barnsley*,
Mr. *Francis Boye*,	Mr. *Charles Fanshaw*.

When the Gentlemen were all met,

The Commission was read by the Register to open the Court; and the President after this, having taken the Oath, as in the Act of Parliament is required Administer'd it to the rest of the Members: And then the Prisoners lately belonging to, and taken in the Pyrate Ship *Ranger*, were commanded before them, and the following Charge exhibited.

James Skyrm, *Commander*; Michael Lemmon, Robert Hartley, (*1st.*) George Smithson, Roger Pye, Peter la Fever, James Barrow, William Smith, William Church, David Littlejohn, William Graves, Henry Dawson, Thomas Stratton, John Arnought, Peter de Vine, Josiah Robinson, John Davies, William

William Guineys, Thomas Clyphen, William Shuren, John Johnſon, Hercules Himkins, Thomas Howard, James Crane, William Glaſs, William Watts, William Wood, Thomas Wills, John Mitchel, Edward Simmonds, Chriſtopher Long, John Stodgill, Robert Fletcher, John Rymer, Joſeph Lee, William Petty, Valentine Aſhplant, John Johnſon, John Horn, Henry Dennis, Cuthbert Goſs, Robert Hartley; (*2d.*) Thomas How, Philip Hawk, Richard Hardy, William Main, Hugh Harris, Henry Dyer, Robert Birlſon, Richard Harris, Andrew Rance, William Davies; (*1ſt.*) William Mackintoſh, James Couſins, Thomas Gills, Edward Watts, Thomas Withſtandycnot, John Walden, James Greenam, Iſrael Hynd, Henry Graves, Adam Comrie, Peter Robin, John Degau, James Ardoen, Peter Shilot, Ranee Marro, John Gitton, Joſeph Richardeau, John La'veque, John Duplaiſee, Peter Croiſſey, Ranee Ffroger, Lewis Arnaut, Renneet Thoby, Mathurim Roulau, John Gumar, John Pacquet, Allan Pygan, Anthony Gilliot.

At the Information and Indictment of Captain *Chaloner Ogle*.

Ye are all and every one of you, in the Name, and by the Authority of our moſt Dread Sovereign Lord GEORGE, King of *Great Britain*, Indicted as follows:

FORASMUCH as in open Contempt of the Laws of your Country, ye have all of ye been wickedly United and Articled together for the Annoyance and Deſtruction of His Majeſty's Trading Subjects by Sea: And in Conformity to ſuch evil and miſchievous Intentions, ye have twice been down this Coaſt; once in the beginning of *Auguſt*, and a ſecond time in *January* laſt, Sinking, Burning, and Deſtroying the Goods and Veſſels that happen'd in your way: Particularly, ye ſtand Indicted at the Information of Captain *Chaloner Ogle*, of His Majeſty's Ship *Swallow*, as Traytors, Robbers, Pyrates, and common Enemies of Mankind.

For that on the 5th of *February* laſt paſt, upon ſight of His Majeſty's Ship *Swallow*, commanded by Captain *Chaloner Ogle*. Ye did immediately weigh Anchor from under *Cape Lopez*, on the Southern Coaſt of *Africa*, in a *French* built Ship of 32 Guns, call'd the *Ranger*, and made ſuch quick and ſuitable Preparations in purſuing her, as declared Ye common Robbers and Pyrates.

That about Ten of the Clock the ſame Morning, drawing within Gun Shot of the ſame Ship, Ye hoiſted a Pyratical black Flag, and fired ſeveral Chaſe Guns, to deter (as much as in You lay) His Majeſty's good Subjects from their Duty.

That an Hour afterwards, being cloſe up with the Ship *Swallow*, Ye did Audaciouſly, and in open Violation of the Laws, (to which Ye ought to have been ſubject,) continue a Hoſtile Defence and Aſſault for about two Hours more, in Defyance of the King's Colours, and the Commiſſion ſhe fought under.

That for the Acting and Compaſſing of all this, Ye were all and every one of You, in a wicked Combination voluntarily to exert, and actually did in your ſeveral Stations, uſe Your beſt Endeavours for Diſtreſſing the ſaid King's Ship, (*ſuper alto Mare*,) and Murdering His Majeſty's good Subjects, fighting therein, under lawful Authority for the Suppreſſion of Robbers.

To which they ſeverally pleaded.

James Skyrm——Not Guilty.
Michael Lemon——Not Guilty.
Robert Hartley——Not Guilty.
George Smithſon——Not Guilty.
Roger Pye——Not Guilty.
Peter La Fever——Not Guilty.
James Barrow——Not Guilty.
William Smith——Not Guilty.
William Church——Not Guilty.
David Littlejohn——Not Guilty.
William Graves——Not Guilty.
Henry Dawſon——Not Guilty.
Thomas Stretton——Not Guilty.
John Arnaught——Not Guilty.
Peter de Vine——Not Guilty.
Joſiah Robinſon——Not Guilty.
John Davies——Not Guilty.
William Guineys——Not Guilty.
Thomas Clyphen——Not Guilty.
William Shuren——Not Guilty.
John Johnſon——Not Guilty.
Hercules Hunkins——Not Guilty.
Thomas Howard——Not Guilty.
James Crane——Not Guilty.
William Glaſs——Not Guilty.
William Davies——Not Guilty.
William Mackintoſh——Not Guilty.
James Couzins——Not Guilty.
Thomas Gilſs——Not Guilty.
Edward Watts——Not Guilty.
Thomas Withſtandyenot——Not Guilty.
John Walden——Not Guilty.
James Greenham——Not Guilty.
Iſrael Hynde——Not Guilty.
Henry Graves——Not Guilty.
Adam Comrie——Not Guilty.
Piere Ravon——Not Guilty.
John Dugaw, *Carpenter*,——Not Guilty.
James Ardoen——Not Guilty.
Ethien Giliot——Not Guilty.
William Watts——Not Guilty.
William Wood——Not Guilty.
Thomas Wills——Not Guilty.
John Mitchell——Not Guilty.
Edward Simmonds (*died before Tryal*)——Not Guilty.
Chriſtopher Long——Not Guilty.
John Stodgill——Not Guilty.
Robert Fletcher——Not Guilty.
John Rymer——Not Guilty.
Joſhua Lee——Not Guilty.
William Petty——Not Guilty.
Valentine Aſhplant——Not Guilty.
John Jaynſon——Not Guilty.
John Horn——Not Guilty.
Henry Dennis——Not Guilty.
Cuthbert Goſs——Not Guilty.
Robert Hartley (*2d*)——Not Guilty.
Thomas How——Not Guilty.
Philip Haak——Not Guilty.
Richard Hardy——Not Guilty.
William Main——Not Guilty.
Hugh Harris——Not Guilty.
Henry Dyer (*dyed before Tryal*)——Not Guilty.
Robert Birlſon——Not Guilty.
Richard Harris——Not Guilty.
Andrew Rance——Not Guilty.
John Gittſon——Not Guilty.
Joſeph Richardeau——Not Guilty.
John L'veque——Not Guilty.
John Duplaiſée——Not Guilty.
Peter Croiſſey——Not Guilty.
Reney Froger Gabie——Not Guilty.
Lewis Arnot——Not Guilty.
Renet Thoby——Not Guilty.
Mathurime Roulage——Not Guilty.
John Gumar——Not Guilty.
John Lacquet, *Mate*——Not Guilty.
Allan Pugan——Not Guilty.
Piere Shillot——Not Guilty.
Rance Marraud——Not Guilty.

In maintenance of this Charge, Mr. *Iſaac Sun*, Lieutenant, Mr. *Ralph Baldrick* Boatſwain; and *Daniel Mac-Laughlin*, Mate of His Majeſty's Ship *Swallow*, depoſed upon Oath, That on *Monday* the 5th of *February*, 172½, at Day-breaking in the Morning, we diſcover'd three Ships, under *Cape Lopez*, on the Coaſt of *Africa*, it bearing then from us W. S. W. about three Leagues, and ſeeing one of them to have a Pendant flying, we immediately ſuſpected them to be *Roberts* and his Conſort, (the two Pyrate-Ships we had been in ſearch of,) together with the *French* Ship they had lately taken out of *Whydah* Road.

We were obliged to haul off N. W. and W. N. W. to avoid the *Frenchman's Bank*, the Wind then at S. S. E. and found in half an Hour's Time,

one

one of the three had got under Sail, and was in Chaſe of us; which we, to give a fairer Opportunity of her coming up, ſtill kept on the ſame Courſe, making very bad Steerage; and likewiſe for the ſame Purpoſe kept our Tacks on Board, tho' before the Wind, and the Main-Yard braced.

About half an Hour paſt Ten in the Morning, ſhe came within Gun-ſhot of us, and fired four Chaſe Guns, ſome of the Shot dropping along our ſide, the Black Flag at the ſame time being hoiſted at the Mizen-Pique, and their Sprit-Sail-Yard, got under their Bow-Sprit for Boarding.

About Eleven the ſame Morning, the Pyrate-Ship being come within Musket-ſhot, we Star-board our Helm, and gave her a Broad-ſide both alow and aloft, ſhe alſo bringing too, and returning the ſame.

After this the Fire grew ſlack for ſome time; becauſe being ſhot a-head, on our Weather-Bow, few of our Guns cou'd be made to bear upon her; and in this Interval, the Black Flag was either ſhot or haul'd down a little Space, and then hoiſted again; but at length thro' their ill Steerage, we got near 'em a ſecond time; and about Two in the Afternoon ſhot away their Main-top-maſt.

The Colours they fought under (beſide the Black Flag) were a red *Engliſh* Enſign, a King's Jack, and a *Dutch* Pendant, which they ſtruck at or about Three in the Afternoon, and called for Quarters; it being a *French* built Ship of 32 Guns, called the *Ranger*.

The Men that were taken out of this Pyrate-ſhip we have ſeen, as they were called before this Court to anſwer their Indictment, and know them to be the Pyrates taken out of one or other of the Pyrate-ſhips, but verily believe them to be the very ſame that were taken out of the *Ranger*,

Iſaac Sun,
Ralph Baldrick,
Daniel M'Laughlin.

After the Evidence was given in, and the Priſoners were ask'd how they came to be on Board this Pyrate-ſhip, and the Reaſon of their audacious Reſiſtance againſt the King's Colours.

To this each Priſoner replied, and owned himſelf to be one of thoſe taken out of this *Ranger*, that the Reſiſtance made by her againſt the King's Ship, was in the manner had been ſet forth in their Accuſation, and in the Evidence that every one of them ſigned their Pyratical Articles, and ſhared their Plunder, ſome few only excepted, who ſince their being on Board, had never ſeen a Prize taken: No one pretended to have deſerted his Station at this Attack and Reſiſtance; but moſt of them, in Extenuation of it, ſaid they were forced Men, that they had never fired a Gun; and what other Aſſiſtance they might lend on this Occaſion, was thro' a Terror of Death, which they ſaid they were ſure would be their Portion ſhould they refuſe.

On mature Debating on this Charge, and the Evidence given in, the Court was of Opinion the Indictment was ſufficiently proved, as to the unlawful Attack and Reſiſtance, had been made againſt His Majeſty's Ship *Swallow*: But then having ſome Reaſon to believe many of the Priſoners found on Board were New-entred Men, and forced, thro' Fear. to act the Part they did in it, came at Length to the following merciful Reſolution.

That further Evidence ſhould be brought on that Particular againſt every Perſon ſingly; and that Circumſtances of Burning, Sinking, or Robbery of any Ship in which any one of 'em was immediately concerned, tho' it was not particularly ſpecified in the Indictment, would yet be a Conviction the

Man or Men were Voluntiers in this, ſuch Evidence, tho' it might want a Form, ſtill carried the Reaſon of the Law with it.

This following Charge, was likewiſe exhibited againſt the Pyrates taken out of the Royal Fortune; *commanded by* Bartholomew Roberts.

Harry Glasby, Thomas Davies, Chriſtopher Granger, William Davinſon, William Champnies, Samuel Murrel, Richard Wood, Hugh Riddle, Charles Bunce, William Magnes, Peter Laſhly, Thomas Sutton, Nicholas Bratton, William Darling, Chriſtopher Moody, John Jeſſup, John Lane, Edward Tarlton, John Philips, John King, William Williams, Roger Scot, Benjamin Par, Robert Lillbourn, Thomas Owen, Samuel Fletcher, Thomas Sever, John Parker, David Simpſon, Thomas Roberts, Thomas Wincon, Edward Evans, Robert Johnſon, Clement Sloecomb, William Philips, James Philips, Jacob Johnſon, William Tayler, Haggy Jacobſon, Marquis Johnſon, Richard Scot, Abraham Harper, Daniel Harding, Michael Mare, Robert Crow, Philip Bill, Thomas Digles, Joſeph More, Joſeph Noſiter, John Stephenſon, James Crombie, George Smith, George Dawſon, John Dufrock, George Wilſon, Thomas Gerrat, William May, Robert Bevans, John Richards, Iſaac Ruſſel, John Cane, Roger Gorſuch James Morris, Hugh Menzies, Benjamin Jeffrys, Joſeph Mansfield, John Coleman, William Farnham, John Watſon, John Francois, James Clements, Thomas Ouchterlanny, Robert Haws, John Wilden, John Griffen, William Williams, (1.) George Ogle, Robert Hays, Edward Thornden, David Rice, Robert Armſtrong, Stephen Thomas, Samuel White, Thomas Watkins, Peter Scudamore, William Child, William Mead, James Harris, John Jeſſup.

Ye are all and every one of you, in the Name and by the Authority of your Dread Sovereign Lord GEORGE, King of *Great Britain*, indicted as follows:

FORASMUCH as in open Contempt of the Laws of your Country; Ye have all of you been wickedly united, and Articled together, for the Annoyance and Deſtruction of his Majeſty's Trading Subjects (*Super Alto Mare*) at Sea, and in Conformity to ſuch Evil and Miſchievous Intentions: Ye have Twice been down this Coaſt of *Africa*; once in the Beginning of *Auguſt*, and a ſecond Time in *January* laſt; Sinking, Burning, and Deſtroying, ſuch Goods and Veſſels, as then happen'd in your Way; particularly, you ſtand indicted at the Information and Inſtance of Captain *Chaloner* Ogle, of his Majeſty's Ship *Swallow*; are Traytors, Robbers, Pyrates, and common Enemies of Mankind.

For that ye did on the 10th of *February* laſt, in a Ship ye were poſeſsed of called the *Royal Fortune*, of 40 Guns, make a Hoſtile Defence and Reſiſtance for ſome Hours, againſt his Majeſties Ship *Swallow*, commanded by Captain *Chaloner* Ogle, nigh Cape *Lapez-Bay*, on the Southern Coaſt of *Africa*.

That ye not only made this Fight and inſolent Reſiſtance againſt the King's Ship, without any Pretence of Authority more than that of your own private depraved Wills, but did it alſo under a Black Flag, flagrantly by that, denoting your ſelves common Robbers, Oppoſers and Violators of all Laws, Human and Divine.

And Laſtly, That in this Reſiſtance, ye were all of you Volunteers; and did, as ſuch, contribute your utmoſt Vigour and Efforts, to annoy and diſable the aforeſaid King's Ship, that ſo with leſs Diſturbance, ye might continue on thoſe evil Practices, and Robberies, ye were mutually engaged in.

To

To which they ſeverally Pleaded.

Henry Glasby——Not *Guilty*.
Thomas Davies——Not *Guilty*.
Chriſtopher Granger——Not *Guilty*.
William Davinſon——Not *Guilty*.
William Champnies——Not *Guilty*.
Samuel Morwell——Not *Guilty*.
Richard Wood——Not *Guilty*.
Hugh Ridley——Not *Guilty*.
Charles Bunce——Not *Guilty*.
William Magneſs——Not *Guilty*.
Peter Laſhley——Not *Guilty*.
Thomas Sutton——Not *Guilty*.
Nicholas Brattle——Not *Guilty*.
William Darling——Not *Guilty*.
Chriſtopher Moody——Not *Guilty*.
John Jeſſup——Not *Guilty*.
John Lane——Not *Guilty*.
Edward Tarlton——Not *Guilty*.
John Philips——Not *Guilty*.
John King——Not *Guilty*.
William Williams 2d——Not *Guilty*.
Roger Scot——Not *Guilty*.
Benjamin Par——Not *Guilty*.
Robert Lillburn——Not *Guilty*.
Thomas Owen——Not *Guilty*.
Samuel Fletcher——Not *Guilty*.
Thomas Sever——Not *Guilty*.
John Parker——Not *Guilty*.
David Simpſon——Not *Guilty*.
Thomas Roberts——Not *Guilty*.
Thomas Wincon (*dyed before Tryal*)——Not *Guilty*.
Edward Evans——Not *Guilty*.
Robert Johnſon——Not *Guilty*.
Clement Sloecomb (*dyed before Tryal*)——Not *Guilty*.
William Philips——Not *Guilty*.
James Philips——Not *Guilty*.
Jacob Johnſon——Not *Guilty*.
William Taylor——Not *Guilty*.
Haggy Jacobſon——Not *Guilty*.
Marquis Johnſon——Not *Guilty*.
Richard Scot——Not *Guilty*.
Abraham Harper——Not *Guilty*.
Daniel Harding——Not *Guilty*.
Michael Mare——Not *Guilty*.
Robert Crow——Not *Guilty*.
Philip Bill——Not *Guilty*.
Thomas Digles——Not *Guilty*.
Joſeph Moor——Not *Guilty*.
Joſeph Noſiter——Not *Guilty*.
John Stevenſon——Not *Guilty*.
James Crumey——Not *Guilty*.
George Smith——Not *Guilty*.
George Danſon——Not *Guilty*.
John Dufrock——Not *Guilty*.
George Wilſon——Not *Guilty*.
Thomas Gerrat——Not *Guilty*.
William May——Not *Guilty*.
Robert Bevans——Not *Guilty*.
John Richards——Not *Guilty*.
Iſaac Ruſſel——Not *Guilty*.
John Cane——Not *Guilty*.
Roger Goreſuch——Not *Guilty*.
James Morris——Not *Guilty*.
Hugh Menzies——Not *Guilty*.
Benjamin Jeffries——Not *Guilty*.
Joſeph Mansfield——Not *Guilty*.
John Coleman——Not *Guilty*.
William Farnon——Not *Guilty*.
John Watſon——Not *Guilty*.
John Francois——Not *Guilty*.
James Clemens——Not *Guilty*.
Thomas Ouchterlannys——Not *Guilty*.
Robert Hays——Not *Guilty*.
John Wilden——Not *Guilty*.
John Griffin——Not *Guilty*.
William Williams——Not *Guilty*.
George Ogle——Not *Guilty*.
Robert Hays——Not *Guilty*.
Edward Thornden——Not *Guilty*.
David Rice——Not *Guilty*.
Robert Armſtrong——Not *Guilty*.
Stephen Thomas——Not *Guilty*.
James White——Not *Guilty*.
Thomas Watkins——Not *Guilty*.
Peter Scudamore——Not *Guilty*.
William Child——Not *Guilty*.
William Mead——Not *Guilty*.
James Harris——Not *Guilty*.

We being Officers on Board his Majeſties Ship *Swallow*, ſtanding into *Cape Lopez*, on the Coaſt of *Africa*, *Saturday* the 13th of *February*, 172½ ſaw Three Ships at Anchor there, the largeſt with *Jack*, Enſign, and Pendant flying, who on ſight of us, had their Boats paſſing and repaſſing, which we ſuppoſed to be with Men; the Wind not favouring us, we were obliged to Tack twice before we cou'd lye nigh enough to fetch them; and at half

paſt

paſt ten in the Morning, the aforeſaid largeſt Ship ſlip'd her Cable, and got under Sail.

About eleven of the Clock, ſhe being come within Piſtol Shot abreaſt of us, and a Black Flag, or Pendant hoiſted at the Maintop-Maſt Head, we ſtruck the French Enſign, that had continued hoiſted at our Staff till now, and diſplayed the King's Colours, giving her at the ſame time our Broad ſide, which was return'd by them again, not with equal Damage their Mizen-top-Maſt falling, and ſome of their Rigging being diſabled.

The Pyrate Sailing better than we, ſhot a Head, half a Gun Shot, while we continued Firing without Intermiſſion, ſuch Guns as we cou'd bring to bear; and they returning at Us in the ſame Manner, till by Favour of the Wind, we came along his Side again; and after exchanging a few more Shot, about half an Hour paſt One, his Main-top-Maſt came down, being ſhot a little below the Parrel.

At Two he ſtruck, and called for Quarters, proving to be the *Royal Fortune* of Forty Guns, formerly the *Onſlow*: And the Priſoners aſſuring Us, that the ſmall Ship remaining in the Road, and from which we had ſeen the Boats paſs and repaſs, at our firſt appearing in the Bay, was called the *Little Ranger*; and did belong to their Company, they Deſerting her ſooner than they deſign'd on this Occaſion. The Total of the Men on Board were 152, of which 52 were Negroes.

I *Iſaac Sun*, I *Ralph Baldrick*, and I *Daniel Mac-Laughlin* do alſo ſwear, That having ſeen the Priſoners as they appeared in Court to anſwer to their Charge, we know them to be the Pyrates taken out of one or other the Pyrate Ships *Ranger* or *Fortune*, verily believe them to be the ſame Men that were taken by us, out of the aforeſaid Ship the *Royal Fortune*.

Iſaac Sun,
Ralph Baldrick,
Daniel Mac-Laughlin.

After the Evidence was given in, the Priſoners were ask'd, How they came to be on Board this Pyrate Ship, and the reaſon of their audacious Reſiſtance againſt the King's Colours.

To which each Priſoner reply'd, and own'd himſelf to be one of thoſe taken out of this *Royal Fortune*. That the Reſiſtance made by her againſt the King's Ship, was in the manner had been ſet forth in their Accuſation, and the Evidence againſt them, that every one of them had ſign'd their Pyratical Articles, and ſhared their Plunder, ſome few only excepted; who ſince their being on Board, had never ſeen a Prize taken. No one pretended to have deſerted his Station at this Attack and Reſiſtance; but moſt of them, in Extenuation of it, ſaid that they were forced Men, and had never fired a Gun in it. What other Aſſiſtance they might lend on this Occaſion, was thro' a Terror of Death, which they ſaid they were ſure wou'd be their Portion, ſhou'd they refuſe.

On the mature debating of this Charge, and the Evidence given in, the Court was of Opinion, the Indictment was ſufficiently proved, that an unlawful Reſiſtance had been made againſt his Ma'eſty's Ship the *Swallow*, but then having ſome Reaſons to think many of the Priſoners found on Board, were new entred Men, and forced to Act the Part they did in it, came to the following merciful Reſolutions.

That further Evidence ſhou'd be brought on that Particular againſt every Perſon ſingly; and that Circumſtances of Burning, Sinking, or Robbery of

any

any Ship, tho' not particularly ſpecified in the Indictment, wou'd yet be a Conviction the Man or Men were Volunteers in this, ſuch Evidence tho' it might not anſwer to the Form, wou'd to the Reaſon of the Law.

Adjourn'd till to Morrow Morning Nine a-Clock.

By Order of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle, *this* 29*th of* March, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;
Mr. *Henry Dodſon*,
Mr. *Francis Boye*,
Mr. *Edmund Hyde*,
Mr. *John Barnſley*,
Mr. *Charles Fanſhaw*.

THE Court being ſet, called for the ſeveral Priſoners following, to anſwer to the Charge againſt them of Yeſterday, particularly to acquit themſelves of being Volunteers, in their Reſiſtance of the King's Ship.

Stephen Thomas produced Evidences in his Behalf, as follows:

Captain *Joſeph Trahern*, who depoſed on Oath, That the ſaid *Stephen Thomas*, being taken the Day before him, did beg the ſaid *Joſeph Trahern* to apply to *Roberts* and his Company for a Diſcharge for him; that he was very melancholy, and was ſure he would have been glad to have got away with him.

Thomas Caſtles depoſed on Oath, That he was taken in the ſame Veſſel with him, being a Sloop called the *Diligence*, belonging to the *Royal African Company*, that he was very ſure the ſaid *Thomas* wou'd have been glad to have got from the Pyrates, and made Application to the Company for it; and when he was going over the ſide with this *Thomas Caſtles*, the Quarter-Maſter of the Pyrates beat him, and forced him in again.

The Court conſidering of which, and that it was unlikely a Maſter of a Veſſel at 6 *l. per* Month ſhould be a Volunteer among ſuch Villains, and that they alſo had ſunk the Veſſel he was Maſter of, *Acquitted* him.

John Stodgill.

Captain *Joſeph Trahern* depoſed upon Oath, That the Priſoner belonged to the Ship *King Solomon*, when he was taken by the Pyrates, off *Cape Appollonia*, the 6th of *January* laſt; that the ſaid *Stodgill* cried when he ſaw him, and told him he was forced.

George Fenn Second Mate of the ſame Ship, depoſed, That he was very ſure the Priſoner was forced by the Pyrates; that he the ſaid *Stodgill* was beat from the Helm, and named ſeveral of the Pyrates that did it.

John Stratton, Surgeon, depoſed to the ſame Purpoſe, That he ſaw him beat, and forced from the Helm away out of the Ship.

At which Evidence, the Court having conſider'd, thought fit to *Acquit* him.

Jacob Johnſon.

Captain *Joſeph Trahern* depoſed, That he earneſtly begg'd of him to apply to *Roberts*, and the Company of Pyrates, for a Diſcharge for him; that he was dragged along to the Signing of their Articles; that he was the laſt among his Men that did ſign them, and ſhew'd himſelf the moſt unwilling to go.

George Fenn the Mate ſwore, That the Pyrates forced him into the Boat, and that before they did do it, he had expreſs'd himſelf extreamly glad, for that he had heard the Pyrates would accept of no Foreigners, he being a *Dutchman*. And *Stephen Thomas*, (one of the Priſoners juſt acquitted,) gave Oath, That he had never been on Board at the Robbery of any Ship the Company had taken, ſince he was amongſt them. On which the Court *Acquitted* him.

William Smith.

John Sharp, Maſter of the *Elizabeth*, depoſed, That the ſaid *William Smith* was one of the Ship's Company, when the Pyrates took his Ship at *Jacque a Jacques* on the Coaſt of *Africa*, and ſaw him very much againſt his Inclinations forced out of her, and thrown into the Pyrates Boat; That *Roberts* alſo himſelf told him the ſaid *Smith* was, and ſhould be compell'd into their Company.

James Munjoy, Cooper of the ſame Ship, depoſed, That he ſaw *Smith* beat and forced into the Boat from them; that when he returned again, with Leave of the Pyrates, for ſome things of his own that were left, they would not truſt him without a Guard of their own Men, and he begg'd if poſſible his Ship-mates could to hide him from the Pyrates.

The Court on conſidering the whole of their Depoſitions, *Acquitted* him.

Peter Divine.

George Fenn, Second Mate of the King *Solomon*, depoſed, That he ſaw no ill Uſage from the Pyrates to him, that might look like Force, and verily believed he enter'd with them voluntarily, for that he had, by his own Confeſſion to him, received the Benefit of an Act of Grace before.

Captain *Joſeph Trahern* could ſay on his Oath only, that he ſhew'd his Allowance on Board the Pyrate, to incenſe them againſt him, and that he heard his Men ſay, he had been twice a Pyrating before.

Thomas Brown, who was a Paſſenger in the Ship *King Solomon*, depoſed, That he ſeemed to go willingly, having had no ill Uſage from them, and was for Scutling the Ship to ſink her, which the Pyrates prevented him in.

Ebenezer Delver, a Paſſenger, likewiſe depoſed the ſame, and withal ſaid he uſed ſome Threatnings to his Ship-mates, as that it was their time before, but it was his now; and the like.

The Priſoner confeſſed he had received the Act of Grace, for belonging to Major *Bonnet* in the *Revenge Sloop* out of *Barbadoes*; but denied what the Evidence accuſed him of about Scutling the Ship.

The Court having conſider'd the Weakneſs of his Defence, againſt poſitive Evidence, brought him in *Guilty*.

John King.

George Fenn depoſes on Oath, That he ſaw no ill Uſage from the Pyrates to force him out of his own Ship the *King Solomon*; that he came cheerfully up out of the Gun-Room, with a new Hat on belonging to the Chief Mate, and was preſently in the Bow of the Boat to go off with the Pyrates; but withal that he thought him not ſober.

Stephen Thomas, (one of the Priſoners who had been acquitted,) depoſeth, That he ſaw him armed that Day they made the Reſiſtance in the Ship *Fortune*, againſt His Majeſty's Ship *Swallow*, that is, he had his Piſtols on. He alſo on his Oath ſays, that no New-Comer amongſt the Company were ſuffer'd to go plundering of any Prize.

John Stratton, the Surgeon of the *King Solomon*, depoſeth, That he came to him, and ask'd him for two or three Shirts, which he would reſerve and return to him again, but never did, and took ſome thin Drawers without his Leave: Nor did he ſee or hear of any ill Threatnings or Uſage made by the Pyrates to force him.

The Priſoner in his Defence, ſaid he was drunk; and that when he came to his Senſes, he was ſorry and repented: And that as to plundering any Tan, or Ship, he had never done it ſince he belonged to them, and hoped, as being Young, and not knowing the Nature of Pyracy, the Court would be merciful. *Guilty.*

William Philips.

Captain *Joſeph Trabern* depoſes on Oath, that the Priſoner *William Philips*, was his Boatſwain in the *King Solomon*, when a Boat, which they ſuppoſed by the Number of Men in her, were Pyrates, drew near them as they were at Anchor off *Cape Apolonia*, that he haled them, and thought they anſwered the Defyance; when the Boat drew nearer, he ſnatched a Muſket from one of his Men and fired at her, upon which they return'd a Volley. He asked his Men, whether they would ſtand by him to defend the Ship, and that this ſame *William Philips* anſwered he wou'd not, and call'd out to the Boat for Quarters, laying down his Arms, which the reſt followed alſo; that the Maſter of the Pyrate told him that he had endeavoured to have him ill uſed by *Roberts*; he likewiſe depoſeth, that when *Roberts* commanded him on Board the *King Solomon* again, to fetch the Proviſions out, he was very ready in obeying.

George Fenn Mate of the *King Solomon*, likewiſe depoſeth, That the Priſoner *William Philips*, when he returned from the Pyrates, told him, that he had been obliged to Sign the Pyrates Articles that Night, for that a Piſtol was laid upon the Table to force him to it, and hoped that he, the ſaid *George Fenn*, would put him in the News Paper, but was very brisk, and at rumaging, calling out to the Pyrates if they wanted *Marlin*, and other Things as they came in his way, returning ſome threatning Language againſt the Officers, becauſe the Captain had once threatned to cut his Ears of, for cutting Cordage without his Order, and believes from his Heart, he entred Volunteer.

Thomas Caſtles depoſeth on Oath, that he appear'd very brisk and forward among them, after the Ship was taken, and told him he was as free and willing to go as ſtay,

John Stratton Surgeon of the *King Solomon*, depoſed the ſame; That he was unconcerned that he ſaw no Force made uſe of to compell him with them.

Stephen Thomas depoſed, that he ſaw him armed in that Action againſt the *Swallow*, and that no Piſtol or Articles, were produced that Night by the Pyrates for his Signing; and that both *John Stratton* and *George Fenn* ſay, that he challenged a Cheeſe from among the Pyrates, that they had ſeized; and

was

was so warm in his persisting about his having of it, as a share he claimed among them, that he quarrell'd with the Quarter-master, and was beat by another of the Pyrates.

He said in his Defence, That he was friendless in this part of the World; that the Witnesses wronged him to say that he enter'd voluntarily; yet owned that he made no Application to his Captain to seek a Discharge from among them; that as to the Cheese, it was his own, and he thought he might want it, which engaged him into the Quarrel with the Quarter-master; and lastly, that if he did tell Mr. *Fenn* that the Pyrates had already obliged him to sign the Articles, it was a Lye he had told. *Guilty* of the whole Indictment.

And then the Court Adjourn'd 'till Morrow Morning at Nine of the Clock.

By Order of the Court.

John Atkins, Register.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corso Castle *in* Africa, *on* Friday *the* 30*th of* March, 1722.

Captain *Mungo Herdman*, President.

James Phipps, Esq;	Mr. *Edmund Hyde*,
Mr. *Henry Dodson*,	Mr. *John Burnsley*,
Mr. *Francis Boye*,	Mr. *Charles Fanshaw*.

WHEN the Court was set, the Prisoners following were called upon.

Samuel Fletcher.

George Fenn, the Mate, knew him to belong to the Ship *King Solomon*, and deposes, That after his first going from their Ship, on Board the Pyrates, which he believes might have been by their Orders, he never return'd again; that in the term of the Voyage he was always grumbling when order'd to any Duty, and several times wish'd to God Almighty they might meet the Pyrates; saw no Force used towards him, and believes he was a Volunteer.

Captain *Joseph Trahern* deposeth the same, That he was always denying Command, and at several times wish'd to meet the Pyrates; that he never spoke to him, while he continued on Board of *Roberts*, to endeavour at an Acquittance for him.

Stephen Thomas deposeth, He was always drunk; but had his Arms on the Day they fought the *Swallow*.

The Prisoner in his Defence said, That *Roberts* forced him to remain on Board: As to his Wishing for the Pyrates, when on Board the *King Solomon*, his Passion on some little cross Accidents that occur'd to him, might provoke him to say so, as it does other Men what they should not do often; and

that

that it would be hard for every Man if puniſhed for inadvertent Words; was never on Board plundering of any Ship, and if he did ſign the Articles of the Pyrates, and ſhare the Money they had taken, it was no more than what every one was obliged to do. *Guilty* of the whole Indictment.

John Johnſon.

Thomas Brown depoſeth, That he the ſaid Priſoner was coming a Soldier to *Cape Coaſt Caſtle* in the *King Solomon*, where he alſo was a Paſſenger; that he heard the Pyrates talk ſharp and ſternly to him, and believed there was a Force uſed in putting him out of the Ship, he being the laſt Man that went; nor was he active, or any way buſy with the Pyrates in plundering, while they remain'd together on Board.

Ebenezer Delver ſays likewiſe on Oath, That he did not ſee him rumaging with the Pyrates about the Ship, after they were taken; that he was chearful in their Company.

He ſaid for himſelf, That the Pyrates hearing he was a Taylor, and wanting ſuch a Perſon very much, did oblige him to continue on Board them, that he was always buſied by them in that Employ; and the Day of their Action with the *Swallow*, was order'd with Threats of being kill'd, to fill Carthridges in the Powder Room.

Which the Court, for ſeveral Reaſons, thinking it carried a Face of Truth, *Acquitted* him.

John Lane.

Captain *Joſeph Trahern* depoſes in his Behalf, That he ſpoke ſeveral times to him, while he remain'd a Priſoner on Board of *Roberts*, to help him any way if he could to a Diſcharge from the Pyrates; and that when *Roberts* was telling that they took none but Sailors into their Company, Why then, ſays the Priſoner, I am a Soldier; hoping (the Witneſs ſuppoſes) to have made his Eſcape by it; but *Roberts* cry'd out, No, I have heard (ſays he) that you have been a Boatſwain's Mate, ſuch Men we want, and you ſhall go with us.

George Fenn Mate of the *King Solomon*, where the Priſoner was a Paſſenger, could not be poſitive whether he was forced, or a Volunteer.

Stephen Thomas, the Priſoner acquitted Yeſterday, depoſeth, That he ſaw him in Arms, when the Pyrate Ship went into *Whydah*; that he was flouriſhing his Cutlaſs on the Fore-Caſtle, and cry'd out to *Roberts*, *D——n you, give the* French *Ship a Broad-ſide, and board him at once*; himſelf being then juſt wounded in ſeveral places by the ſplitting of a Gun.

Jacob Johnſon (a Priſoner acquitted) ſwears he went on Board of Captain *Hill*, at *Cape Lopez* in his turn; that he told *Roberts* he was a Soldier, when he ſaid he wanted Sailors; he was armed in the Action at *Whydah*.

He ſaid little in Defence of himſelf. *Guilty.*

Edward Thornden.

John Sharp Maſter of the *Elizabeth*, depoſes, That the Priſoner did belong to his Ship, when the Pyrates took him at *Jacque a Jacques* the 2d of laſt *January*, That *Roberts*, who commanded the ſaid Pyrate Ship, told him, the Priſoner was a Volunteer; which he had ſome Reaſon to believe was true, becauſe the ſaid *Thornden* never apply'd to him for obtaining a Releaſe, during the time he was detain'd among them, tho' he knew he had got Leave for another of his Men to go back with him; yet could not help confeſſing that the Priſoner ſaid, (together with one *May*, which was alſo a Man of his.) *Pray, Captain* Sharp *don't forget to ſpeak for us*; as likewiſe that his Behaviour 'till this time had been very obedient.

James Munjoy, one of the ſame Ship's Company with the Priſoner when taken, depoſes, That coming to him the ſaid Priſoner, and bidding him go to the Helm, he anſwer'd with an Oath, that he had taken Tricks enough, and did not now belong to the Ship; nor did he ſee any of the Pyrates uſe Force to carry him away. He alſo ſwears in Corroboration of his Belief, that he was not forced, that he diſcover'd to the Pyrates ſome Rings and Buckles that the Cook of the Ship had, and cauſed them to be taken away; on which the Priſoner called for one *John Taylor*, a Man belonging to the ſaid Ship *Elizabeth*.

John Taylor who depoſed upon Oath, That he had often heard the Cook ſay, he would give any thing to know the Rogue had been the occaſion of his loſing the Buckles and Rings; he ſays likewiſe, that a Quarrel happening between one *Dyer* one of the Pyrates, and the Priſoner, about a Lock and a Key, which the Priſoner would have to belong to him, the Quarter-maſter came forward, and took the Pyrate off from beating him, asking him how he wou'd like it were he a Priſoner: Why, (ſays the other,) he is ſawcy. Nay, then (ſays the Quarter-Maſter) take him on Board of us: But ſaw no other Force. He did not ſee him plundering, he ſays; but at the Pyrates Orders, went to fixing a Top-ſail-ſheet-block when he return'd again.

Stephen Thomas depoſes, That he never ſaw him in Arms, neither going into *Whydah*, nor in the Action with the Ship *Swallow*, but ſeem'd to be uneaſy in the Company he had got into, and cried, ſaying, he hoped the Captain would do him Juſtice, which he interpreted was, that he would repreſent him a forced Man.

Roger Shelton Mr. *Sharp's* Cook, depoſes on Oath, That the Rings were the Priſoner's, having given a Note for them to his Order, and knows nothing of his diſcovering of them to the Pyrates.

The Priſoner ſaid for himſelf, That he was miſuſed and beat by the Pyrates, and afterwards forced on Board; that he deſired one of his Ship-Mates, (ſince unhappily kill'd by the Negroes, as was confeſs'd by the Evidence,) to take notice of it, and incert it in the *Gazette*: That as to his telling *Munjoy*, he did not belong to the Ship, it was ſaid jokingly; that as to his obeying the Pyrates in fixing the Top-ſail-ſheet-block, it was out of his Power to deny, without Hazard of beating, or worſe from the Pyrates. And, laſtly, denies *Munjoy's* Charge of cauſing the Cook's Buckles and Rings to be taken away; they were his own, for that he had given the Cook a Note of 21 *s.* for them, and the Cook telling him one of the Pyrates had took them, why then, (ſays the Priſoner, cancel the Note. *Acquitted.*

William May.

John Sharp Maſter of the Ship the Priſoner was taken out of by the Pyrates, ſays on Oath as he did of *Thornden*, That *Roberts* ſhou'd give him leave to take back again one of his Men, and told him at the ſame time, that for theſe two Fellows, *May* and *Thornden*, they were Volunteers; yet yields, that both the Priſoner and *Thornden* did deſire he wou'd ſpeak for them.

John Taylor belonging to the ſaid Ship *Elizabeth*, depoſes, That he heard the Quarter-Maſter of the Pyrates order him into the Boat, and heard that he was beat very much, either for denying this Order, or becauſe the Priſoner told ſome of the Pyrates, that he ſhould ſee preſently what brave Fellows they were, when they ſhould come to fix the Top-ſail-ſheet-block; and the Deponent ſays he ſaw the Marks of the Blows upon his Body.

James Munjoy belonging to the ſame Ship *Elizabeth*, ſwears concerning the Top-ſail-ſheet-block much to the ſame purpoſe, and that the Quarrel he had was with one *Vernon* a Pyrate; who in Anſwer to the Priſoner when he was going up the Shrouds, and had ſaid, We ſhall ſee what brave Fellows ye are:

Ah,

Ah, G——d d——n you, (ſays this *Fernon,*) *and I ſhall ſee too what a brave Fellow you are, when you come down*; and beat him very much.

The Priſoner ſaid he had a Wife and Family that was too near to him, to think of leaving for ſuch a Life as Pyrating; that if he had had any Inclination to it, the Beating he had received as an Earneſt of their good-liking, would have diſcouraged him from thinking of it; that poſſibly *Roberts* might be Rogue enough to ſay he was Volunteer, but proteſted his Innocence, and ſaid one *Moody* a Pyrate, who had known him on Board of a Man of War formerly, was the Man that forced him, and quarter'd him in the Top with himſelf on Board the *Fortune.*

The Court weighing the Evidence, and the Priſoner's Defence, *Acquitted* him.

And then the Court Adjourn'd 'till Morrow Morning at Nine of the Clock.

By Order of the Court.

John Atkins, Regiſter.

The Tryal of *George Wilſon* came on this Day, and was farther put off to the 7th of *April* following.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle *in* Africa, *on* Saturday *the* 31*ſt of* March, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Edmund Hyde*,
Mr. *Henry Dodſon*,	Mr. *John Barnſley*,
Mr. *Francis Boye*,	Mr. *Charles Fanſhaw.*

WHEN the Court was ſet, the following Priſoners were called for.

George Wilſon came on this Day, but was farther put off to the 7th of *April* following.

Philip Haak.

The Evidence in his Favour was *Gerrit de Haen* Maſter of the *Fluſhingham*, who depoſes on Oath, That the 4th of *January* laſt, having been taken by two Pyrate Ships a little above *Axim*, the Priſoner was forced out of his Ship, tho' he had begg'd hard for his Releaſe, being Trumpeter, and a decrepid Fellow unfit for their purpoſe. *Acquitted.*

Thomas

Thomas Sutton.

Benjamin Kreft Maſter of the *Gertruyt* a *Dutch* Ship, depoſes on Oath, That on the 14th of *December*, N. S. being at Sea off the River *Gabone* on the Coaſt of *Africa*, he was taken by two Pyrates, and ſwears, That the Priſoner is known to him very well, and that he was very active in Robbing him, taking all his Gunner's Stores out.

Gerrat de Haen Maſter of a *Dutch* Ship call'd the *Fluſhingham*, depoſes on Oath, That being a little above *Axim* on the Coaſt of *Africa*, two Pyrate Ships fired and brought him too with the Ship, and that this Priſoner *Sutton*, whom he remembers very well, came on Board armed, and took his Gunner's Stores out.

The Priſoner ſaid little in his Defence, owned the Facts; only to the firſt Evidence he ſaid, he had only taken half the Stores out, owned he had been three Years with them. *Guilty.*

William Magneſs.

Benjamin Kreft Maſter of the *Gertruyt*, depoſeth, That the Priſoner is well known to him; that he came on Board as Quarter-Maſter of the Pyrates, and order'd his Proviſions out, favouring him (as he call'd it) with only enough to carry him to the *Mine*.

Captain *Trahern* ſwears, That the Priſoner commanded the Boat that boarded and took his Ship, that he remembers him well, that he commanded the Goods out of his Cabin, and took eleven Ackies of Gold from him, being all as he then had, was active at plundering.

Thomas Caſtle depoſes on Oath, That the Priſoner is well known to him; that when the *Onſlow* was taken by the Pyrates the 8th of *Auguſt* laſt, this Priſoner was very active, and order'd many of her Goods to be thrown over Board.

The Priſoner owned that theſe Evidences had ſworn againſt him with little Variation; but ſaid his Place of Quarter-Maſter, which obliges him to go on Board what they call Prizes, was impoſed on him, and that it always went againſt his Conſcience to do them. *Guilty.*

David Simpſon.

Edward Criſp depoſes, That being taken in the *Onſlow*, the Priſoner was particularly cruel beyond the reſt of the Pyrates, driving them about with his Cutlaſs, and bragging he was as good a Man as *Roberts*; that by the Priſoner's Orders, he ſaw ſeveral of the *Onſlow*'s Goods thrown over Board, and thought none ſo briſk at it as himſelf.

Thomas Caſtles, That he order'd the *Onſlow*'s Goods over Board, and was a very active Man.

Gerrit de Haen ſwears, The Priſoner was on Board very active in Robbing his Ship, and ſaid, *If all were of my Mind, we'd burn or ſink her.*

More Evidences would have appear'd, but the Priſoner not denying theſe Facts, and only excuſing it with a Plea of Force, and in Concert with others who were doing the ſame, the Court knowing him to be an old Offender, having ſerved the Company as Quarter-Maſter 'till he was turn'd out, very readily found him *Guilty.*

Chriſtopher Moody.

Gerrit de Haen ſwears, That at the taking of his Ship, the ſame Priſoner, whom he knows very well, came on Board armed with the reſt of the Pyrates, and robb'd him, being a very active Man at that Service.

Captain

Captain *Trahern* depoſes, That this ſame *Moody* was one of the Pyrates that came on Board of him in the Boat, and after Seizing his Ship, was one of the forwardeſt in Robbing her.

Edward Criſpe and *John Wingfield*, That they knew him well to be a diſtinguiſh'd and active Man among the Pyrates on all Occaſions, but knew no particular Facts.

The Priſoner owned all that was witneſſed againſt him; and the Court being fully aſſured of his being an old and notorious Offender, found him *Guilty*.

Philip Bill.

Gerrit de Haen ſwears, That the Priſoner was among the reſt of the Pyrates, Plundering and Robbing of his Ship, after he had unfortunately fell into their Hands.

Thomas Caſtle depoſes, That he went voluntarily with the Pyrates, he being a Paſſenger in the Ship *Onſlow*, to which the Priſoner belonged, and told his Comrade at Parting, that he was ſorry he was ſick, and could not go with him, taking a laced Hat from one Mr. *Winthrop*, and very active in the plundering Part.

John Wingfield ſwears him to have been a Leading Man amongſt them, very brisk and active, but knows no particular Fact.

The Priſoner could make no Denial to this Charge of the Evidences, and was was found *Guilty*.

Richard Hardy.

Thomas Caſtles depoſes on Oath, That the 5th of *January*, about two Leagues from *Aſſinee* on the Coaſt of *Africa*, he being then on his Affairs in the *Diligence* Sloop belonging to the *African* Company, *Roberts* the Pyrate, and his Conſort, two Ships of them took the ſame Sloop, and that he is poſitive of the Priſoner being one, and the buſieſt one among the Pyrates at plundering, taking the Gold and the Captain's Buckles, who he ſwore ſhould ſuffer for denying he had any Silver: And after this, that he was the Man that ſcutled the Sloop and ſunk her. He likewiſe ſays of the five foregoing Priſoners they were the activeſt and leadingeſt Men among the Company.

John Wingfield ſwears, That falling into the Hands of the Pyrates in a Brigantine called the *Hannibal*, belonging to the *African* Company, and then at *Callabar*, the Priſoner not only robb'd the Ship, broke the Hinges of a Caſe to get the Gold out, directed the Pyrates to throw the Red-Wood that was in the Brigantine over Board, but broke his Cutlaſs with a Blow he gave the Maſter of her.

More might have been proved, but the Priſoner owning this, and knowing him an old Offender, found him *Guilty*.

John Ouchterlauney.

Captain *Joſeph Trahern* depoſes of the Priſoner, That he came in the Pyrates Boat armed on Board all together threatning no Quarters, and after firing and ſeizing his Ship, he ſaw the ſaid Priſoner with one of his Shirts, his Wig, and other Cloaths on, very brisk and active.

Thomas Caſtles ſwears, That none were forced on theſe Occaſions to go on Board, and that he being on Board of the Pyrate Ship when the Boat went from her to take the *King Solomon*, the Word was given, Who would go on Board, and he ſaw this *Ouchterlauney* was one, and afterwards ſaw him with a long Wig of Captain *Trahern*'s on.

The Priſoner owned his being on Board and at the Robbery, but that any Irregularity he might commit, was thro' Drink only; that he was a forced

Thomas Sutton.

Benjamin Kreſt Maſter of the *Gertruyt* a *Dutch* Ship, depoſes on Oath, That on the 14th of *December*, N. S. being at Sea off the River *Gabone* on the Coaſt of *Africa*, he was taken by two Pyrates, and ſwears, That the Priſoner is known to him very well, and that he was very active in Robbing him, taking all his Gunner's Stores out.

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The Priſoner ſaid little in his Defence, owned the Facts; only to the firſt Evidence he ſaid, he had only taken half the Stores out, owned he had been three Years with them. *Guilty.*

William Magneſs.

Benjamin Kreſt Maſter of the *Gertruyt*, depoſeth, That the Priſoner is well known to him; that he came on Board as Quarter-Maſter of the Pyrates, and order'd his Proviſions out, favouring him (as he call'd it) with only enough to carry him to the *Mine*.

Captain *Trahern* ſwears, That the Priſoner commanded the Boat that boarded and took his Ship, that he remembers him well, that he commanded the Goods out of his Cabin, and took eleven Ackies of Gold from him, being all as he then had, was active at plundering.

Thomas Caſtle depoſes on Oath, That the Priſoner is well known to him; that when the *Onſlow* was taken by the Pyrates the 8th of *Auguſt* laſt, this Priſoner was very active, and order'd many of her Goods to be thrown over Board.

The Priſoner owned that theſe Evidences had ſworn againſt him with little Variation; but ſaid his Place of Quarter-Maſter, which obliges him to go on Board what they call Prizes, was impoſed on him, and that it always went againſt his Conſcience to do them. *Guilty.*

David Simpſon.

Edward Criſp depoſes, That being taken in the *Onſlow*, the Priſoner was particularly cruel beyond the reſt of the Pyrates, driving them about with his Cutlaſs, and bragging he was as good a Man as *Roberts*; that by the Priſoner's Orders, he ſaw ſeveral of the *Onſlow*'s Goods thrown over Board, and thought none ſo briſk at it as himſelf.

Thomas Caſtles, That he order'd the *Onſlow*'s Goods over Board, and was a very active Man.

Gerrit de Haen ſwears, The Priſoner was on Board very active in Robbing his Ship, and ſaid, *If all were of my Mind, we'd burn or ſink her.*

More Evidences would have appear'd, but the Priſoner not denying theſe Facts, and only excuſing it with a Plea of Force, and in Concert with others who were doing the ſame, the Court knowing him to be an old Offender, having ſerved the Company as Quarter-Maſter 'till he was turn'd out, very readily found him *Guilty.*

Chriſtopher Moody.

Gerrit de Haen ſwears, That at the taking of his Ship, the ſame Priſoner, whom he knows very well, came on Board armed with the reſt of the Pyrates, and robb'd him, being a very active Man at that Service.

Captain

Captain *Trahern* depoſes, That this ſame *Moody* was one of the Pyrates that came on Board of him in the Boat, and after Seizing his Ship, was one of the forwardeſt in Robbing her.

Edward Criſpe and *John Wingfield*, That they knew him well to be a diſtinguiſh'd and active Man among the Pyrates on all Occaſions, but knew no particular Facts.

The Priſoner owned all that was witneſſed againſt him; and the Court being fully aſſured of his being an old and notorious Offender, found him *Guilty*.

Philip Bill.

Gerrit de Haen ſwears, That the Priſoner was among the reſt of the Pyrates, Plundering and Robbing of his Ship, after he had unfortunately fell into their Hands.

Thomas Caſtle depoſes, That he went voluntarily with the Pyrates, he being a Paſſenger in the Ship *Onſlow*, to which the Priſoner belonged, and told his Comrade at Parting, that he was ſorry he was ſick, and could not go with him, taking a laced Hat from one Mr. *Winthrop*, and very active in the plundering Part.

John Wingfield ſwears him to have been a Leading Man amongſt them, very brisk and active, but knows no particular Fact.

The Priſoner could make no Denial to this Charge of the Evidences, and was was found *Guilty*.

Richard Hardy.

Thomas Caſtles depoſes on Oath, That the 5th of *January*, about two Leagues from *Aſſinee* on the Coaſt of *Africa*, he being then on his Affairs in the *Diligence* Sloop belonging to the *African* Company, *Roberts* the Pyrate, and his Conſort, two Ships of them took the ſame Sloop, and that he is poſitive of the Priſoner being one, and the buſieſt one among the Pyrates at plundering, taking the Gold and the Captain's Buckles, who he ſwore ſhould ſuffer for denying he had any Silver: And after this, that he was the Man that ſcutled the Sloop and ſunk her. He likewiſe ſays of the five foregoing Priſoners they were the activeſt and leadingeſt Men among the Company.

John Wingfield ſwears, That falling into the Hands of the Pyrates in a Brigantine called the *Hannibal*, belonging to the *African* Company, and then at *Callabar*, the Priſoner not only robb'd the Ship, broke the Hinges of a Caſe to get the Gold out, directed the Pyrates to throw the Red-Wood that was in the Brigantine over Board, but broke his Cutlaſs with a Blow he gave the Maſter of her.

More might have been proved, but the Priſoner owning this, and knowing him an old Offender, found him *Guilty*.

John Ouchterlauney.

Captain *Joſeph Trahern* depoſes of the Priſoner, That he came in the Pyrates Boat armed on Board all together threatning no Quarters, and after firing and ſeizing his Ship, he ſaw the ſaid Priſoner with one of his Shirts, his Wig, and other Cloaths on, very brisk and active.

Thomas Caſtles ſwears, That none were forced on theſe Occaſions to go on Board, and that he being on Board of the Pyrate Ship when the Boat went from her to take the *King Solomon*, the Word was given, Who would go on Board, and he ſaw this *Ouchterlauney* was one, and afterwards ſaw him with a long Wig of Captain *Trahern*'s on.

The Priſoner owned his being on Board and at the Robbery, but that any Irregularity he might commit, was thro' Drink only; that he was a forced

Man from Captain *Rolls* at *Callabar*, *October* laſt, at which place he would have made his Eſcape, but that it was among Canibals, a worſe Choice than where he was. *Guilty.*

But Execution reſpited 'till the King's Pleaſure be known.

William Main, Boatſwain.

Captain *Joſeph Trahern* depoſes, That the Priſoner indeed was not in the Pyrate Boat that attack'd his Ship, but that he came afterwards and robb'd her, particularly taking two new Cables that were hid, and ſome Coils of Rope, and he ſaw him bring them on Board, acting briskly on all Occaſions, on Board the Pyrate Ship, like a Man of War's Officer.

George Fenn, his Mate, depoſed, That he came on Board the *King Solomon*, and order'd him to get the two Cables up, and beat the Crew for not being brisk enough about it, ſaying it would make charming Shrouds; alſo that he told the ſaid *Fenn*, he was the Man he came for, that is, to force away with them.

John Wingfield depoſes, That the Priſoner was alſo on Board the Company's Brigantine taken at *Callabar*, ordering things out of her, particularly a Toping-lift, and was very active on all Occaſions.

The Priſoner in his Defence ſaid, he was taken in a Brigantine ſixteen Months ago, one Captain *Peet*, and forced amongſt theſe Pyrates much againſt his Inclination, that he had never harmed, but rather well uſed Priſoners. *Guilty.*

Henry Dennis.

Benjamin Kraef ſwears, That he was on Board, and aſſiſting to the Robbing of his Ship with the other Pyrates.

Charles Munjoy, That he was on Board the *Elizabeth*, and aſſiſted to rob her.

He ſaid little or nothing in his Defence, depending the Court preſumed on Mercy for his early Informations, being an old Stander, and acquainted with all their Characters, which he had before this, given without Reſerve. *Guilty.*

William Mackintoſh.

John Wingfield, that he was one of the activeſt and briskeſt among the Pyrates at any Duty, when they were heaving down by the Brigantine; he was taken in at *Calabar*.

George Fenn ſwears, that he remain'd all Night on board the *King Solomon* after they were taken, and was aſſiſting in robbing her.

He ſaid little for himſelf, and could not deny what the Evidence had ſworn, owned he had been twenty Months among them, but conſtrain'd to it. *Guilty.*

Valentine Aſhplant.

Captain *Joſeph Trahern* on his Oath, that he knew the Priſoner, that he was employed moſtly in being Patroon of the Pyrates Boat, the forwardeſt among them, and returning with Goods from what they called their Prizes.

Thomas Caſtle, that he was on board a *French* Ship to Windward, and would have cut her Maſt away, but did not know how to get back again; he heard the Priſoner ſay he had bought Brandy enough out of this Ship for every Meſs, and was the forwardeſt among them.

George Fenn ſays, he knew the Priſoner Maſter of a Brigantine ſeven Years ago, but likewiſe on hisOath, that he was on Board the King *Solomon*, with the reſt of their Crew.

He

He ſaid little or nothing in his defence, that he had been about two Years with them; but forced. *Guilty.*

David Rice.

Gerrit d' Haen ſwears, that the Priſoner whom he knew very well, often threatened to kill him, in the Time he was detained on board of *Roberts*, and ſeem'd a very active Man amongſt them.

Stephen Thomas, that he had ſeen the Priſoner in Arms at the Pyrates Ships, going into *Whydah* Road; Alſo when ſhe fought the Man of War. He was taken only in *November* laſt at *Calabar*, in the Ship *Cornwall*. *Guilty.*

Robert Bevins.

Stephen Thomas ſwears he never ſaw him ſober ſcarce, or fit for any Duty, while he was on board the Pyrates.

John Wingfield, that he heard Captain *Rolls* in the *Cornwall* (to which this Priſoner belong'd) ſay, the Pyrates had forc'd his Men from him, when they took him at *Calabar*. *Marſhalſea.*

William Williams.

Benjamin Kraeft Maſter of a *Dutch* Veſſel or Ship taken by theſe Pyrates ſwears, the Priſoner often threatned with Oaths, to beat him while he was detain'd on board of *Roberts*, and often was forced to hide to prevent him in it, that he was well at *Gabone*, and was on ſhore duelling with another of the Crew.

John Wingfield depoſes, that on board the *Brigantine*, in which he had the Misfortune to fall into their Hands, this Priſoner acted with the ſame forwardneſs, as the others in robbing her.

The Priſoner could not make much defence againſt this, but ſeemed to talk very innocently of his being a forced Man, and that he attempted at *Sierraleone*, to run away from them but was catch'd, naming the ſame Pyrates who did it, and receiv'd two Laſhes from every Man in the Company as a Puniſhment, (which was confeſſed by the other Priſoners) and which he ſaid had indiſpoſed him for ſeveral Months till now; but own'd he had been on board the *Dutch* Ship. *Guilty.*

Roger Scot.

Charles Munjoy was the only Evidence appeared againſt him; who depoſes upon Oath, that he ſaw the Priſoner, whom he knows very well, on board of the *Elizabeth*, *John Sharpe* Maſter, carouzing and drinking with the reſt of the Pyrates.

The Priſoner pleaded he was a forced Man, and taken out of the *Sudbury*, Captain *Thomas*, about nineteen Months ago; the Court thought, that an old Offender of his ſtanding, muſt certainly be *Guilty.*

And then the Court Adjourn'd till to Morrow Morning Nine a-Clock.

By Order of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle, April *the* 2*d*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Edmund Hyde*,
Mr. *Henry Dodſon*,	Mr. *John Barnſley*,
Mr. *Francis Boye*,	Mr. *Charles Fanſhaw*.

THE Court being ſet, the following Perſons were called.

Henry Dawſon.

John Stydgill ſwears, that the Priſoner being taken by the Pyrates in a Sloop called the *Whydah*, down at *Jacquin* in *January* laſt, whereof he was Mate; the ſaid Sloop was burn'd, and the Priſoner taken out, and obliged to ſign the Articles by *Roberts*.

Stephen Thomas, that the Sloop whereto the Priſoner belonged, was burn'd the 15th of *January* laſt, and he the Priſoner forced on board the *Ranger*.

The Priſoner ſays, they put the Sloop to Sea from *Jacquin* for avoiding the Pyrates, who they heard were up at *Whydah*; yet three Days after unfortunately met them, was rifled, burn'd, and conſequently forced with them, that he had fourteen Months Pay due, and Mate in quality, therefore unlikely to be a Volunteer, and hoped the Court would conſider it. *Acquitted.*

William Glaſs.

William Smith (a Priſoner acquitted) depoſes on Oath, that the *Whydah* Sloop to which the Priſoner belonged, he knows was burn'd by the Pyrates at Sea, nigh the Coaſt of *Whydah January* laſt, that he had no Piſtols about him, nor was he armed at fighting the Ship *Swallow*, or any way ſhew'd himſelf approving their Practice.

The Priſoner ſays in his Defence, that the Sloop being burn'd, he was under a neceſſity to accept the Pyrates treatment, and remain with them; that *Roberts* would not permit him to go on ſhore, ſaying he the Priſoner ſhould go when himſelf did, and that no Prize, as they call it, had been taken ſince himſelf, 'till the Action with the *Swallow*. *Acquitted.*

James White.

John Wingfield depoſes, that the Priſoner was commanded out of the *Cornwall* Gally, Captain *Rolls* Commander at *Calabar*, being one of the Muſick there, and heard his Commander ſay he was compell'd to ſign the Articles of the Pyrates.

The Priſoner appeared to be decrepid and ill-ſhapen, unfit for any purpoſe but Muſick, which he ſaid in Defence of himſelf he was forced to comply with to obey their Orders, and play their time, or be beat, and that he had

had given all his Wages to Captain *Rolls*, to beg he would put him in the *Gazette* as forced. *Acquitted.*

Nicholas Brattle.

James White (the Priſoner juſt acquitted) ſwears, that the Priſoner with himſelf was forced out of the *Cornwall* Gally at *Callabar* into the Pyrates Boat, and carried on board the *Royal Fortune* by *Roberts*'s Orders, and afterwards compell'd to ſign their Articles.

Stephen Thomas, that the Priſoner was only made uſe of as Muſick, which he dared not refuſe, not being in Arms at attacking the *Swallow*, or aſſiſting in any military Manner at any Time.

The Priſoner ſaid he was taken in *October*, and gave all his Wages to Captain *Rolls* to put him in the *Gazette* as a forced Man. *Acquitted.*

Henry Glasby.

There appearing ſeveral Perſons in Court, who had been taken by *Roberts*'s Ship, whereof the Priſoner was Maſter, the Court thought fit to accept their Evidence as follows:

Joſeph Trahern Maſter or Captain of the *King Solomon* ſwears, that the Priſoner acted as Maſter of the ſaid Pyrate-ſhip, that he once called upon him during his reſtraint there, and ſaid they had made him Maſter, but did as they would, never obſerving him; that he was weary of his Life, and ſuch other Expreſſions as ſhew'd in him a Diſ-inclination to the method of Living he was in.

John Wingfield taken by the ſame Pyrate *Roberts* at *Calabar*, depoſes, that he was called Maſter of the Pyrate-ſhip *Fortune*, and acted as ſuch, but was civil beyond any of them, that when the ſaid Brigantine he was taken in, was voted by the Pyrates to be burn'd, he really believes he was the Inſtrument of ſaving her, that he had expreſs'd a great deal of ſorrow for being among ſuch a Company of Rogues, that he had acted among them with a great deal of Reluctancy, and verily believes he could not avoid it, that when *Hamilton* a Surgeon was taken, and they would have impoſed their Articles upon him, the Priſoner oppoſed and prevented it, that *Hunter* another Surgeon among them, was clear'd at the Priſoner's inſtance and perſwaſion; likewiſe the Deponent ſays, that this ſame Mr. *Hunter* told him, that the Priſoner with two more were ſentenced to Death, for attempting an Eſcape from them, and that the other two were really ſhot for it.

Thomas Caſtle, that he acted as Maſter of the Pyrate, but had ſeveral times expreſſed a Regret for it, that it was impoſed upon him, he doing and acting in it with Reluctancy, that he always blamed the Pyrates for their Cruelties, particularly in his Hearing when they brought away Captain *Trahern*'s Sails and Canvas, and ſeemed to act thro' fear.

Edward Criſpe, that he heard Captains *Lady* and *Tarlton*, taken by the Pyrates, give this Priſoner an excellent Character, and that what good Uſage they met from them was thro' the Priſoner's means.

Iſaac Sun Lieutenant of the *Swallow*, depoſes on Oath, that having before the Action with the Pyrates heard a very good Character of the Priſoner by thoſe who had been taken at *Whydah*, he enquired of him by Name when he came to take poſſeſſion of her as Prize in the King's Boat, that the Pyrates told him the Priſoner prevented them from blowing the Ship up after they had ſtruck, in particular, that he had taken two lighted Matches out of the Hand of one who was going to do it, that he order'd the Colours to be ſtruck after *Roberts*'s Death, and was threaten'd for it, and that the Priſoner has ſince ſhewn the Involuntarineſs of his Actions while with the Pyrates, by declaring the vileſt Characters among them.

Captain *Sharp* taken by this ſame Pyrate-ſhip ſays, the Priſoner was Maſter of her, but believes he diſapproved the Life, in particular, once he cry'd to him, and told him how miſerable his condition was with ſuch a Crew, lamenting very much, ſaying he had never been on board of any Prize; as to the ſtation they allotted him, he could not refuſe acting; that at the Deponent's coming away, he had ſome little Utenſils or Inſtruments that he wanted on board his Veſſel in a Coat, and gave them with him privately, ſaying he would give him more, but that he had it not for himſelf.

Captain *Trengove* a Paſſenger in the *Onſlow* when ſhe was taken by the Pyrate-ſhip, ſays that Captains *Gee Lady* and *Tarlton* did in his hearing give great Commendations of the Priſoner.

Elizabeth Trengove Wife to the former Deponent, and Paſſenger in the *Onſlow* ſwears, that hearing a good Character of this *Glasby* the Priſoner, her Curioſity prompted her to ask the Quarter-maſter of the Pyrate who was on board robbing, why they could not ſee him? No, ſays the Quarter-maſter, he is a very good Man, and we never venture him from on board, being ſuſpicious that he deſigns to make his Eſcape, for, ſays he, he once endeavoured it before.

James White (a Priſoner juſt acquitted) whoſe Buſineſs, as Muſick, was upon the Poop, in time of Action with his Majeſty's Ship *Swallow*, depoſes, that he never during the time of Action forc'd or gave Orders for firing or loading a Gun, but his buſineſs was wholly to trimming the Sails, to which he was commanded by *Roberts*, that he never heard him give any Order about going on board of Prizes or to concern himſelf about it, and verily believes he was the Perſon that prevented her being blown up after ſtriking, by ſetting truſty, that is new entred Men, as Centinels below.

The Priſoner ſaid, that when he had the Misfortune of firſt falling into the Pyrates Hands, he was chief Mate of the *Samuel* of *London*, Captain *Cary*, and when he had hid himſelf to prevent their Deſign of carrying him away, they found him out, beat and threw him over board. Seven days afterwards upon his objecting and refuſing to ſign their Articles, he was cut and abuſed very much, that tho' after this he was forced to receive a ſhare with them, he was but little the better, diſtributing to ſuch Priſoners as from time to time fell in his way; and when it was asked, whether he had not return'd home any Money by Captain *Loan*, he ſaid perhaps he had two or three Moidores, deſiring he would give 'em to his Wife, or uſe it himſelf as he thought fit. Again, that making his Eſcape once in the *Weſt Indies*, and being taken, he was ſentenced with two more to be ſhot, and eſcap'd it only by one of the leading Pyrates being his Friend, and bullying the reſt. A ſecond time he ran away at *Hiſpaniola*, carrying a Pocket Compaſs, but the Barbarouſneſs of that part of it he fell upon, and unacquainted what path to follow, obliged him down to the Water-ſide again, where ſome of the Pyrates found him, and when they challenged him for running away, he was forced to proteſt he did not deſign it, for fear of their ſhooting him, and ſo return'd on board again; that *Roberts* was very jealous of him, and never committed his Secrecies or private Deſigns to him, withal that this Captain *Cary* had given it on Oath, that he was a forced Man, to which Affidavit were four other Captains Witneſſes that were then Paſſengers in the ſame Ship, and that it was unlikely he ſhould be a Volunteer from ſo good an Employ.

The Court when they came to conſider of the Evidence, and his Defence, reſolved, that in conſideration he had always acted with Reluctancy in any of their Villanies, that he had been forced from a good Employ, that he had ſhewn a ſorrow to ſeveral Priſoners becauſe of the little hopes of Redreſs he had to that wicked way of living, that he had uſed all Priſoners (as they called them) well, running the hazard of ill uſage from the Pyrates, for the good will he expreſs'd in Word or Deed to any that were taken by them,

that

that he had never been in any military manner aſſiſting their Actions, that he had prevented the Prize being blown up by them; that it was unlikely, as he appeared qualified for any maritime Employment, he ſhould ever take this Courſe again, and that he had twice endeavoured at an Eſcape from them, tho' with the utmoſt hazard of his Life; and laſtly, that his Evidence would be of great uſe to the Court for trying the remaining Priſoners. He was *Acquitted*.

Robert Lilburn.

Edward Criſpe depoſes of this Priſoner, that he was very civil and ready in ſerving any body taken in the *Onſlow*, in particular that he prevented one *Whetſtone*, Maſter's Mate of that Ship, from being miſuſed, his Ears being threaten'd to be cut off; he ſeem'd always melancholy and diſconſolate, lamenting the condition of Life he was in, and that ke knew him to lye under a ſuſpicion of not being well affected to their Cauſe, (*i. e.*) the Pyrates.

John Wingfield depoſes much the ſame as to his melancholy Behaviour, and that he never was on board the Brigantine they took at *Calabar*.

Captain *Trahern* ſays, that he had a general good Character from all he met with who knew him, that he cry'd when the Deponent was coming away, and would fain have came along with him, but it was refus'd him.

George Fenn, Mate of the *King Solomon*, ſays, that the Priſoner acted not like a Volunteer, but prevented all the Miſchief he could that the others would have done, particularly in ſcutling the Ship, which ſome of them was for.

Captain *Sharp* ſays, when his Ship was taken, he never offer'd to carry any thing out of her.

Charles Munjoy alſo belonging to this *Elizabeth* Captain *Sharp*, ſays he ſat very penſive and melancholy while he was on board that Ship by the Pyrates Orders, and believes he was the means of ſaving him from going on board with them.

James White (lately acquitted) ſays, he only went on board of Prizes in his turn, and was then called to it.

Henry Glasby depoſed, that when he was firſt taken by the Pyrates, he was beat and forced among them; that as to his ſigning the Articles, he muſt have done it, or have been ſhot; that to his certain knowledge, he would with all his heart have got away if an Opportunity had happen'd, that *Roberts* ſuſpected it ſo far, that he particularly took care of the Boats in order to prevent it; and laſtly, that after ſhe ſtruck to the Ship *Swallow*, he voluntarily went and ſtood a Centry at the Powder-room to prevent her blowing up.

The Priſoner ſaid in his own Defence, that being taken in the *Jeremiah* and *Ann* of *London* the 9th of *April*, 1721, by the Pyrates, he was with the utmoſt violence forced amongſt them; his Commander Captain *Turner*'s Oath made before the Lord Mayor of *London* of his being forced, lying on the Board. The Court *Acquitted* him.

The Court then proceeded to give Sentence againſt *David Simpſon*, *William Magneſs*, *Richard Hardy*, *Thomas Sutton*, *Chriſtopher Moody*, and *Valentine Aſhplant*, as follows.

The Priſoners being brought before them, and told they had been found guilty of the Indictment, asked all and every one of them, what they had to object, why Sentence ſhould not paſs; in which none replying but *Thomas Sutton* the Gunner, who ſaid he was ſick at the time of Action, pronounced as follows.

Sentence

Sentence againſt *David Simpſon*, *William Magneſs*, *Richard Hardy*, *Thomas Sutton*, *Chriſtopher Moody*, and *Valentine Aſhplant*.

YE and each of you are adjudged and ſentenced to be carried back to the Place from whence ye came, from thence to the place of Execution without the Gates of the Caſtle, and there within the Flood-marks to be hanged by the Neck, 'till ye are *Dead*, *Dead*, *Dead*; And the Lord have Mercy upon your Souls.

After this ye and each of you ſhall be taken down, and your Body hung in Chains.

Mungo Herdman, Preſident.
James Phipps,
Henry Dodſon.
Francis Boye.
Edmund Hyde.
John Barnſley.
Charles Fenſhaw.

Warrant for Execution.

PUrſuant to the Sentence given by the *Court of Admiralty* this Day at *Cabo Corſo Caſtle*, againſt *David Simpſon*, *William Magnes*, *Richard Hardy*, *Thomas Sutton*, *Chriſtopher Moody*, and *Valentine Aſhplant*.

You are hereby directed, and requir'd to carry the ſaid Malefactors to the Place of Execution to Morrow Morning, between the Hours of Ten and Twelve, without the Gates of this Caſtle, and there cauſe them to be hanged by the Neck, 'till they are dead; for which this ſhall be your Warrant.

Given under my Hand this 2d Day of *April*, 1722.

To Joſeph Gordyn, *Provoſt-Marſhal*.

Mungo Herdman.

And then the Court Adjourned 'till to morrow Morning nine of the Clock; having firſt order'd a Summons to be ſent to Mr. *Samuel Heartſeaſe* Merchant, and another to Captain *William Menzies* to attend, and be of the Number of the Court.

By Command of the Court,

John Atkins, Regiſter.

To

To Mr. Samuel Hartſeaſe.

BY Virtue of the Power and Authority to Us given, by a Commiſſion from the King, under the Seal of *Admiralty*, You are hereby required to attend and make one of this Court, for the Trying and Adjudging of the Pyrates lately taken by His Majeſty's Ship *Swallow*.

Given under our Hands the 3d of *April*, 1722.

Mungo Herdman,
James Phipps,
Henry Dodſon.

To Captain William Menzies.

BY Virtue of the Power and Authority to Us given by a Commiſſion from the King, under the Seal of Admiralty, You are hereby required to attend, and make one of this Court, for the Trying and Adjudging of the Pyrates lately taken by His Majeſty's Ship *Swallow*.

Given under our Hands the 3d of *April*, 1722.

Mungo Herdman,
James Phipps,
Henry Dodſon.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle *on the Coaſt of* Africa, April *the* 3*d*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq ; | Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*, | Captain *William Menzies*,
Not preſent. Mr. *Francis Boye*, | Mr. *John Barnſley*,
Mr. *Edmund Hyde*, | Mr. *Charles Fanſhaw*.

AFTER the Commiſſion was read, and the Court ſet, the following Priſoners were brought in.

Thomas Roberts, *John Richards*, and *John Cane*, Acquitted.

The Evidences produced by the Priſoners to prove they were forced Men, were *Harry Glasby* and *Stephen Thomas*.

Harry Glasby depoſed, that he was ſure all of them were forced on board, and afterwards forced again to ſign their Articles, that they cried and lamented being there, and really believes they would have been glad to have gone away; that ſince their being on board of them, only a Sloop, and a Pink Captain *Hill* Commander, had been taken, on board of which neither of them had been.

Stephen Thomas does not know of their being forced by any Violence uſed, but really believes they were, and that he never ſaw them in Arms.

They ſay for themſelves they were forced from the *Carlton* Captain *Allwright* at *Whydah*, about the middle of *January* laſt; after the Pyrates had taken the Ship, they earneſtly applied to their Captain to get them away, but in vain.

The Court conſidering they were newly enter'd, and had received no Shares, believed them to be innocent. *Acquitted.*

Thomas Stretton.

Edward Criſpe depoſes of this Priſoner, that he knows him very well, and that he cry'd when the Pyrates forced him away, believing it was much againſt his Will.

Thomas Caſtles a Paſſenger likewiſe in the *Onſlow* with the former Deponent, ſays the Priſoner was Carpenter's Mate of the ſaid Ship, that he was ſent for in particular ſome Days after ſhe was taken: And when the Deponent was taken a ſecond time in a Sloop, this Priſoner asked him, whether or not he thought he might find Mercy if he made his Eſcape to *Cabo Corſo Caſtle?* And being told Yes; he reply'd he would truſt the Mercy of the Seas to obtain his Liberty, rather than ſtay.

The Priſoner ſays, it was the firſt Voyage he ever was at Sea, and that he was forced; and when on board, the Pyrate was quarter'd in the Hold.

The Court conſidering the Evidence, and that ſo young a Sailor muſt be a Novice in the Art of Pyrating, *Acquitted* him.

William Guineys.

William Smith (a Perſon acquitted) ſays, the Priſoner acted as Mate, and took Charge of a Watch in the *Ranger* during *Skyrm*'s being ill, that he was voted to this, and heard *Bunce* a Pyrate and ſome others ſwear, that he ſhould accept it; that he meſſed with the Captain, but alſo that any body might come and eat and drink with him.

John Stodgill (a Perſon acquitted alſo) ſays, that when he came on board there, he ſuppoſes about ranſoming with *Roberts*, that he and the Boat's Crew were detain'd; nor does he remember to have ſeen any thing of his Behaviour in the Action with the *Swallow*.

Thomas Stretton (a Priſoner juſt acquitted) depoſes on Oath, that this Priſoner told him on the Quarter-deck, he would be glad to make his Eſcape if he had opportunity, nor did he ſeem briſk but dejected.

The Priſoner ſays for himſelf, that he was ſecond Mate of the *Porcupine*, burnt by the Pyrates at *Whydah* the 14th of *January* laſt, and being ſent by the chief Mate to make up the Ranſom with them before they burnt her, he was detain'd; he confeſſes he meſſed with Captain *Skyrm* of the *Ranger*, and took Charge of a Watch, which he ſays they forced him to, and did alſo to ſign their Articles, but had never received any Share; he confeſſes he told one that was nigh him as they chaſed, it was the *Swallow*, who told him again to hold his Tongue, or they would ſhoot him; but this Perſon appears a forced Man he ſpoke it to, and therefore he ſays without Deſign, after the firſt Broad-ſide he deſerted his Quarters. *Acquitted.*

Richard

Richard Scot.

Stephen Thomas, that he ſaw the Priſoner drinking and keeping Company with the Pyrates, but never more harm of him, and that he never received any Share from the time of his being on board, but always with the Carpenters, he being taken with the *Porcupine*, and was Captain *Fletcher*'s Carpenter.

Harry Glasby heard him ſay, he wiſh'd the Sloop had left him at *Whydah*, talking pathetically of his Wife and Child that muſt be ſufferers by this unhappy Accident, and verily believes he was forced.

Henry Dawſon, Mate of the ſame Sloop the Priſoner was taken in, (and acquitted,) depoſes on Oath, that the Maſter of the Sloop wanting a Carpenter, accepted of him; the *Porcupine*, the Ship he belonged to, being then burnt by the Pyrates, accepted of the Priſoner, who alſo fell a ſecond time in this Sloop into their hands, and that burning the Sloop he was obliged to remain with them; he lamented his Wife and Child to this Deponent with Tears in his Eyes; received no Share, and verily believes he was a forced Man.

The Priſoner ſaid in his Defence alſo, that after his Ship was burnt, he remain'd in the *Whydah* Sloop by an Offer from the Maſter of her, and unfortunately fell a ſecond time into the Pyrates hands, they burning the Veſſel, and forcing him on board; that in time of the Action with the *Swallow*, he was down in the Well.

The Court from theſe ſeveral Circumſtances concluded he muſt be a forced Man. *Acquitted.*

Richard Wood.

Richard Scot (the Priſoner juſt now acquitted) depoſes, that he was his Mate in the *Porcupine* when the Pyrates burn'd her, and that he had a hundred times wiſh'd to him he had never come the Voyage, after this unfortunate Accident happen'd; that he had begg'd the Deponent's Vote (all the Pyrates Affairs being carried by that) for his Diſcharge, and that he knew he had never ſign'd the Articles.

The Priſoner ſaid, the Pyrates ſet him to work to unſhakle the Negroes on board the *Porcupine*, and that he had got lame with their ill Treatment, and not in a condition to ſign their Articles, which the Court asked him about, becauſe all are obliged to it; it was their firſt Voyage, and he had received no Share of their Plunder, appearing to the Court in all reſpects an innocent Man. *Acquitted.*

Edward Evans.

Harry Glasby depoſes, that the Priſoner belonged to the *Porcupine* which the Pyrates burnt at *Whydah January* laſt, that he could ſay no more of him than that he was merry and drinking among the reſt; and both he and *Stephen Thomas* ſays, he had received no Share among them.

Richard Wood (a Priſoner acquitted) ſwears, that he was laſt in the Boat from the *Porcupine* when ſhe was burn'd, and with Tears lamented the Unhappineſs of the condition he was now fallen into, likewiſe that he had had no Share.

The Priſoner ſaid in Vindication of himſelf, that the Ship being on fire, he was glad to get on board the Pyrate to ſave himſelf, many of the Negro Slaves being burnt or drowned, unable to help themſelves being fetter'd; that after he was on board *Roberts*, both he and the Quarter-maſter denied him coming back to any other Ship.

The Court conſidering that being lately taken, the Circumſtances of it, his Ship firſt fired, and that he had received no Share, concluded him innocent. *Acquitted.*

Robert

Robert Hardy.

Harry Glasby witneſſes, that he was forced on board the Pyrate-ſhip mightily againſt his Will, from one Captain *Kanning* in the *Robinſon* of *Leverpool*, in *Auguſt* laſt; and that he had ſeveral times endeavoured at an Eſcape.

Robert Lilburn ſays much the ſame, with this Addition, that he had once eſcaped from the Pyrate-ſhip on board his own, and hid himſelf, but that the Pyrates miſſing him, ſent in particular for the Priſoner, tho' *Kanning*'s Ship had been diſcharged by them.

It appeared by other Circumſtances of the Priſoner's Behaviour, that he was forced, and that his Maſter had made Interceſſion in vain for him to the Pyrates, becauſe he was his Gunner, and very much wanted by him, the Court thought fit to *Acquit* him.

George Smithſon.

Edward Criſpe a Paſſenger in the *Tarlton*, to which Ship the Priſoner belonged, depoſes, that he ſaw the Quarter-maſter force him out of the Ship with Violence, tho' he cry'd and pleaded much againſt it.

Thomas Stretton is ſure he was forced, for the Deponent found him a Priſoner among the Pyrates when the *Onſlow* was taken, a Day or two after, to which the Deponent belonged, and ſays that the Priſoner and he had often conſulted together of ſome manner to eſcape, tho' it was Death or Marooning among them to be found ſo doing.

The Priſoner ſaid no more in his Defence than that the Evidence had before teſtified, and appearing innocent in his Anſwers, the Court *Acquitted* him.

Benjamin Parr.

Harry Glasby depoſed, that to his knowledge the Priſoner was beat, and uſed unmercifully, to force him on board the Pyrate, and was always melancholly after it, and diſapproving of their Manners.

Robert Hartley (a Priſoner acquitted) who did belong to the ſame Ship the Priſoner was forced from, ſays, that the Priſoner was their Maſter's Brother-in-law, in the *Robinſon* of *Leverpool*, that he the ſaid Priſoner had made a firſt, ſecond, and third Eſcape from them, but was always ſent for again, and beat and miſ-uſed for it.

All which the Court conſidering, *Acquitted* him,

Edward Turleton.

John Sharp ſays the Priſoner was ſick alſo on board the Pyrate when he was conſtrain'd on board of her, which was the next Day after the ſaid Priſoner, that he begg'd of *Roberts* with Tears, and on his Knees, that he would let him go from them, to which *Roberts* reply'd, that he had ſhed as many Crocodile Tears as himſelf when he was firſt taken, and would not permit him.

The Priſoner appearing to be his Captain's Kinſman, *John Tarlton* of *Leverpool* in the *Standwitch Gally*, taken at *Cape la Hou*, in whom he was taken; and a Letter being produced from the ſaid Maſter or Captain to the General of *Cape Coaſt*, under his Hand, that the Priſoner was forced, and no longer than from *January* laſt. *Acquitted.*

John Arnaught.

William Smith (a Priſoner Acquitted) is very well aſſured, and on Oath ſays, the ſaid *John Arnaught* was a forced Man, crying and lamenting his Misfortune.

Captain

Captain *Trahern*, that he heard his Captain give him a very good Character.

And the General of *Cabo Corſo* producing the Letter from Captain *Tarlton*, which teſtified the ſame of this Priſoner as of the former, the Court thought fit to *Acquit* him.

And then the Court Adjourn'd till to Morrow Morning Nine a-Clock.

By Order of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle, *on the Coaſt of* Africa, April *the* 4*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *Charles Fanſhaw*.
Mr. *Edmund Hyde*,	

AFTER the Court was ſet, the following Perſons were called in.

Joſiah Robinſon, *John Davies*, *Thomas Clephen*, and *Thomas Howard*.

They produced ſeveral Evidences in their Behalf, that they were forced Men out of Captain *Thomas Tarlton* at *Aſſinee*, *January* laſt.

Edward Tarlton ſwears, that *Joſiah Robinſon* belonging to the ſame Ship, for refuſing to go into the Pyrate-Boat ſeveral times, was threaten'd very much, and afterwards had ſeveral times told him, he would take the firſt Opportunity to eſcape.

John Arnaught Boatſwain of the ſame Ship *John Davies* the Priſoner was taken out of, ſwears, that the ſaid *Davies* told the Quarter-maſter of the Pyrates he was an *Iriſh* Man, hoping by that to be freed from going with them, but he ſwore he would not believe it, and beat him into the Boat. He ſays likewiſe of *Thomas Clephen*, that he lamented himſelf under his Condition very much, and made a great deal a-do to get away.

William Smith ſwears, he often heard him wiſh that he could get away: And of *Thomas Howard*, that he was ſure he was detain'd againſt his Will among the Pyrates, he having often been conſulting with the Deponent how he ſhould get away, and had done it in the Boat, but that *Roberts* had a Jealouſy, and kept them always lock'd.

A Letter was alſo produced in Behalf of theſe four Priſoners from Captain *Tarlton*, directed to the General at *Cabo Corſo*, to aſſure him they were forced much againſt their Wills, and begs very pathetically to have his Favours towards them, if the Pyrate-ſhip ſhould fall into the hands of the Man of War. *Acquitted.*

Adam Comrie.

John Sharp Maſter of the *Elizabeth*, depoſes, that the Priſoner was his Surgeon when the Pyrates met with him in *January* laſt, and heard *Roberts* ſay, the Priſoner ſhould go with him; that when the ſaid Deponent was diſmiſs'd by *Roberts*, *Comrie* hid himſelf in the Boat, and went off from the Ship, but a Pyrate unluckily ſeeing him, commanded the Boat on board again, preſenting a Muſket, at which he expreſs'd a great deal of Trouble, and begg'd the Deponent would repreſent him a forced Man.

Captain *Trahern* when he was detain'd among the Pyrates, ſays, the Priſoner was very melancholly, particularly he remembers it one Night, when he gave him a Silver Mark to give to Captain *Sharp* for marking Negroes.

Harry Glasby knows, that he was forced out of Captain *Sharp* with beating and ill uſage, ſaw him crying after this, and begg'd him to interceed for his Diſcharge; and tho' he ſigned their Articles, yet it was done with much Reluctancy, they ſwearing he ſhould, and that they would admit no Surgeon hereafter to refuſe it, which before they had, 'till *Hamilton*, who was diſcharged from them at *Whydah*. *Acquitted.*

James Skyrm.

William Smith depoſes, that he being taken in the Pyrate-ſhip by the *Swallow*, the Priſoner commanded during the Action, and gave Directions for the managing and fighting the ſaid King's Ship, that he had a Sword in his Hand to enforce his Command, and cut this Deponent juſt before they came up with the *Swallow*, in the Warmth of his Paſſion.

John Stodgill (another Perſon acquitted, and) belonging to the *Ranger* when taken, ſays the ſame, that he had a Sword in his Hand, giving Orders himſelf for all the Men to their Quarters, and in his hearing bid them bring the Chaſe Guns to bear, and fire them.

John Wingfield, that he knows the Priſoner to have been Maſter or Commander of the *Little Ranger*, when the Company's Brigantine wherein he was, was taken by the Pyrates at *Calabar*.

John Arnaugh, (another Perſon acquitted) who was alſo taken in the *Ranger*, aſſures on Oath, that he ſaw the Priſoner have a Sword in his hand, commanding the Men to their Quarters in that Action with the *Swallow*, and ſaw him ſtrike *Smith* the former Deponent.

The Priſoner ſaid, he had been indeed in this Company ever ſince *October* 1720, and was firſt taken out of a Sloop called the *Grey-hound* from *Philadelphia* belonging to St. *Chriſtophers*, that he was Mate of her, and had his Head broke, and a hearty drubbing from the Pyrates for going away without leave when that Sloop was diſmiſſed; that he had been ſick for ſeveral Months, unable for Duty, never on Deck at taking of any Prize of late, and commanded out now by *Roberts* fore againſt his Will: As to Command, he ſaid every Man was alike; that he begg'd the People not to fire when he knew it was a Man of War, and to have done more would have been preſent Death.

His being ſick the Court thought was only an Aggravation of his Crime in coming out, and ſhew'd him an allart Man on ſuch Occaſions: Beſides, a Commander of a Pyrate-ſhip who fought againſt the King's Colours, muſt in the higheſt degree be *Guilty*.

John Walden.

William Smith knew him the Priſoner very well by the Name of *Miſs Nanny*, to have come that Morning from on board the *Fortune*; but ſaw him only when his Leg was off by a Shot from the *Swallow*.

Captain

Captain *Trahern* knows the Prisoner to be one of the Men who attack'd his Ship in the Pyrates Boat, that he had a Poll-Ax in his Hand cutting into every thing that came athwart him, and in particular his Cable, saying, what occation is there for this needless piece of Work of heaving up the Anchor, your Ship will be burnt presently.

George Fenn Mate of the *King Solomon* taken *January* the 6th, also says, he was one of those Pyrates who came in the Boat to attack the same Ship off *Apolonia*, that he saw him cut the Cable, saying, he would *yo hope* them, (a Tone used by Sailors,) there were more Anchors at *London*; was very mischievous with his Poll-Ax, breaking every thing in his way, and busy to the utmost in hoisting the said *King Solomon's* Provisions out.

The Prisoner himself seem'd little concerned; that at his first being taken in the *Blessing of Lemmington* at *New-foundland*, *Robert Taylor* Master, the 18th of *June*, he was for a Month after very sick and disturbed, but owns he was in the Boat at taking the *King Solomon*, as the Captain and Mate had said, and that he cut her Cable, and that no Man was forced into the Boat from the Pyrate on these occasions; as to the Action with the *Swallow*, he says *Roberts* sent him that Morning, that he did not fire, but loaded one Gun, for he knew it was in vain; yet if he had been a *Portugueze*, he did not know what he might have done, which they all took her for; he reeved also two Braces, he says, that were shot away.

The Court could have produced Evidence of his setting the *Porcupine* on fire, and afterwards the Sloop, but they thought it needless. *Guilty.*

Israel Hynde.

William Smith deposes, that he the Prisoner was Boatswain of the *Ranger* in that Action with the *Swallow* Man of War, and called to him the Deponent to mend or new reeve the Main-sheet, which was shot away.

John Stodgill (a Person acquitted) swears, he saw the Prisoner with a Cutlass in his Hand, when they engaged the *Swallow*; that this was the very Man who had forced him out of his own Ship on board the Pyrates, was always swearing and cursing, especially once to some of the Men, for that they suffer'd new Men to go over the side.

George Fenn Mate of the *King Solomon*, says, he soon grew great with their Boatswain, and was down seeing and ordering her Sails out on board the Pyrate, in particular some Marling and Housling; and when two of their Men had hid for fear of him, he came and told the Deponent, he would take him away, if he did not find the others, ordering them out of the Ship, saying, the *Fortune* had Men enough, and they must have as many.

The Prisoner says, he was Boatswain of the *Little Ranger*, and lost his Arm in that Action with the *Swallow*; but was put in, because when taken first, which was in *October* last, he was Boatswain's Mate of the *Mercy Gally* at *Calabar*, had signed the Articles, and received a Share; confessed he had a Cutlass in his Hand the time of this Action; and likewise that he forced *Stodgill*; but for the Marling and Housling, it was by the Quarter-master's Orders; the *Fortune's* People, he says, came and cut them loose, and forced them out to chase. *Guilty.*

James Greenham.

William Smith, (a Person acquitted,) who was taken in the *Ranger* with the Prisoner, says, he was entertained in the Captain's Mess, and knows he came on board the *Elizabeth* when she was taken by the Pyrates.

James Munjoy Passenger in that *Elizabeth*, says, he saw him drinking, but not carry any thing away from her; that when the Deponent was afraid the Pyrates would have forced him, this *Greenham* bid him be of good cheer, he need not fear that, unless from *Moody*, or *Main* the Boatswain.

Harry

Harry Glasby ſays of the Priſoner, that he knows him to have been taken three Days after him, was very brisk at his firſt coming, and got drunk; has been ſick indeed a long time, the latter five Months of it on board the *Ranger*, where he knows nothing of his Carriage; went, he confeſſes, in his turn on board of Prizes, and then brisk enough, at other times heavy and lazy.

The Priſoner ſaid, he was taken in the *Little York*, *James Phillips* Maſter, coming from *Virginia* laſt *July* was twelve Months, it being the ſecond Voyage he had made; he owns he had been on board of what they call Prizes, but never took any thing away. As to the Action with the *Swallow*, he ſays, *Skyrm* the Captain commanded him to Arms, ſwearing very much at him when he told him, he had no Buſineſs againſt the King's Ship; that he had been ſick eight Months of the time he had been there, and held it along the Coaſt; he ſigned, but had firſt a Piſtol preſented to him, and received his Share; would have made his Eſcape, but that it was among Negroes; he helped, he ſays, trimming the Sails, and was ſhot thro' the Body.

A Man of his ſtanding among the Pyrates, the Court was of Opinion could not be innocent. *Guilty.*

William Graves.

George Fenn Mate of the *King Solomon*, ſwears, that the Priſoner belonged to their Ship when the Pyrates took her; that they beat and forced the Priſoner away, who cry'd and ſeem'd very ſorrowful for it.

John Stodgill, that he was carried from the *King Solomon* in the ſame Boat with him on board the Pyrate-ſhip called the *Ranger*, crying very much for it to the Deponent, and ſaying, they were never in a fairer way to be hanged than now, never ſaw him in Arms; and particularly in the Action with the *Swallow*, he knew him to run from his Quarters the firſt Broad-ſide.

At the Sum of the Evidence, he appeared to the Court to be a forced Man. *Acquitted.*

Then the Court Adjourn'd 'till to Morrow Morning at Nine of the Clock.

By Order of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle *on* Thurſday, April *the* 5*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq ;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Not preſent Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw*.

THE Court being ſet, called for the following Priſoners, *French Men.*

Piere Ravon, Jean Dugau, Jacque Ardoen, Ethien Gilliot, Ranee Marraud, Jean Gitton, Tho. Richardeau, Jean L'evecque, Jean Duplaiſſey, Piere Croiſſey, Ranee Froger Gabie, Lewis Arnot, Renet Thoby, Methurim Roulaw, Jean Gumar, Jean Packet, Allan Pygan, and *Piere Shellot.*

Who produced Evidences in their behalf, as follows, *viz.*

Adam Comrie Surgeon of the *Ranger* to which the Priſoners belonged and were taken in, (acquitted Yeſterday,) as doth alſo *John Smith*, ſwear, that they knew ſeveral of them to be in the Hold in the time of Action with the *Swallow*; that they both very well knew that they were Priſoners on board the Pyrate, never ſign'd the Articles, ſhared with them, or were ſuffer'd to carry Arms.

The Priſoners ſay, that the Pyrates having ſeized their Ship at *Whydah January* laſt, forced them on board with them, and carry'd away the Ship; but own the whole Evidence in the manner of Attack and Reſiſtance was made by theſe Pyrates to his Majeſty's Ship *Swallow*, but cannot allow they acted in it, were treated as Priſoners, and run from their Quarters. *Acquitted.*

William Child.

Harry Glasby and *Robert Lilburn* ſwear, he was Surgeon of the *Mercy Gally* at *Briſtol*, and forced into their Ship at *Calabar* by *Roberts* againſt his Inclination, never perpetrating in any Act of Pyracy himſelf, or approving it in others.

He ſays for himſelf, that his being in a Pyrate-ſhip was not only much againſt his Inclination, but his Intereſt, having a good Employ whereon to build, and Friends to advance him in the World in an honeſt and reputable way of Livelyhood.

The Court had others who knew him while they were Priſoners with *Roberts*, who giving him a good Character, the Court *Acquitted* him.

James Harris.

Henry Glasby ſays, he ſeveral times told him he would be glad to get away, went on board Prizes in his turn, and was Gunner's Mate about ſix

Weeks before the *Fortune* was taken, the Gunner ſwearing he ſhould accept it.

William Child Surgeon's Mate of the *Fortune* (acquitted) ſays, he was all the time of the Action with the *Swallow* down in the Hold.

Robert Lilburn, that he acted Gunner's Mate, was lame, and unfit for Duty. *Stephen Thomas* ſays the ſame.

Thomas Caſtles, that *Roberts* was particularly civil to him; being ill, ſaw him with a Night-Gown of Mr. *Criſpe's* on a Gentleman of his Acquaintance.

The Priſoner owned he help'd traverſing a Gun, but never fired; that when he ſaw the King's Colours he run down, own'd he had been on board three Ships; and as to the Gown it was the Gunner's, lent only while he was lame; that he was taken out of the *Richard Pink* of *Bidyford*, *July* the 16th, 1720, and an Affidavit before the Mayor of *Bidyford*, of his being forc'd from his Captain being produced. Referr'd to *Marſhalſea*.

William Mead.

Robert Lilburn (acquitted) taken out of the ſame Ship, ſays, the Priſoner was forced, went on board of Prizes in his turn; but had often with him and one *John Wright* (ſince eſcaped) conſulted to make their Eſcape.

Harry Glasby, that he and all of them were glad to go on board of Prizes; has ſeen him whiſpering ſometimes, and was told it was in order to contrive getting away.

Stephen Thomas ſaw him armed at *Whydah*, but not againſt the *Swallow*.

Elizabeth Trengove that was a Paſſenger in the *Onſlow*, ſwears, the Priſoner was very rude to her, ſwearing and curſing, as alſo forcing her hoop'd Petticoat off; and to prevent more of his Impudence, which ſhe was afraid of, went down into the Gunner's Room by Advice of one *Mitchel* a Pyrate.

The Priſoner pleaded Force, and an Affidavit made by his Captain appearing to the ſame purpoſe, he was referr'd to *Marſhalſea*.

William Champnies.

Edward Criſpe ſwears, that he knows the Priſoner very well, that when he was on board Captain *Lady*, this Priſoner was there alſo; that he ſaw him often weeping, and ſaid he would make his Eſcape whenever he could, and believes he really would if opportunity had preſented at any time; was civil beyond any of the others, and particularly taken notice of for it; that he did endeavour to get off with Captain *Lady*, and *Chriſtopher Moody* (one executed) fetch'd him back again.

George Fenn, that the Priſoner came on board the *King Solomon* after he had been taken, crying and lamenting his Caſe to the Deponent, whom he knew, becauſe he had not yet found means to get away from the Pyrates.

Captain *Trahern*, that he gave him two or three pieces of Gold at parting, and ſaid he would truſt the Mercy of the Seas, or Negroes, at any rate to get off from the Company he was in.

Robert Lilburn, (acquitted,) that he was the only Man he could entruſt, and had together conſulted of means, and provided for it, but was diſcover'd.

The Priſoner ſaid, he was taken by the Pyrates out of the *Lloyd Gally*, Captain *Hyngſton* Commander, in *March* 1721; and that himſelf was beat, and forced from a good Employ, being ſecond Mate, to go among the Pyrates; that he never was to attack any Ship ſince he had been among them, tho' he confeſſes he went in his turn on board of them afterwards, which he was obliged to, but that even then he took nothing out of them.

The Court conſidering the Evidences, and that his Captain's Affidavit of his being forced was lying on the Board, he was *Acquitted*.

Peter

Peter Scudamore.

Harry Glasby depoſes, that when the *Cornwall*, Captain *Rolls*, was taken by the Pyrates at *Calabar*, one *Moody* a Pyrate beat this Priſoner, and ſwore he ſhould not go along with them, and the Priſoner ſwearing again he would, believes there was no Force uſed to compel him to it; for he deſired his Captain to put him in the *Gazette*, in his hearing, and he told him he would not.

John Wingfield depoſes, that the Priſoner ſign'd the Pyrates Articles in his preſence with a great deal of Alacrity, and that he was the firſt Surgeon that had done ſo; that afterwards he ſwore he was now as great a Rogue as any of them; that a Tournado happening, he ſaid, he hoped Captain *Rolls* would be drowned, for that he was a great Rogue, and endeavoured to do him the ſaid Captain *Rolls* all the Miſchief he could with the Pyrates, but ſaid withal he would avoid Signing their Articles; that this Priſoner took ſeveral Medicines, Blow-pans and Ciſter, *&c.* from his Brigantine, which *Hunter*, another Surgeon who had never ſign'd their Articles, return'd again.

He ſays alſo, that Captain *Rolls* told him, all his Men were forc'd, except the Doctor, and that he was a great Villain.

Captain *Trahern* depoſes, that after he was taken by the Pyrates, he ſaw this Priſoner bring on board his Back-gammon-tables, his Surgeon's Capital Inſtruments, ſome Medicines, a Quilt and Bolſter.

George Fenn depoſes, that he ſaw the Priſoner quarrelling with one *Wincon* a Pyrate about the Back-gammon-tables, whoſe Property they ſhould be; and that he told this *Wincon*, he ſhould uſe them at any time, and that he ſaw him rumaging of the Surgeon's Cheſts.

Adam Comrie Surgeon of the *Elizabeth* when taken by the Pyrates, depoſes, that this Priſoner came on board them, and ſtay'd all Night; that he commanded the Deponent with him on board the Pyrates much againſt his Will; however, he ſhould go, he ſaid, that Night, if he came back the next Morning; that he the Deponent underſtood it was the Pyrates Deſign to have return'd him back, but believes the Priſoner and one *Wilſon* were the means of preventing it; tho' they ſtill complemented him, that if the Company would permit it, they would; and being asked, if he had taken any thing out of the Deponent's Cheſt? He ſaid, Yes.

John Sharp Maſter of the *Elizabeth*, ſays, that the Priſoner asked *Roberts* in his hearing, whether he would not take this *Comrie* the Surgeon? and went on, that if he would not, only to give leave to him, and he (the Priſoner) would.

William Child (juſt acquitted) appeared againſt him alſo; for that tho' this *Scudamore* had been treated not like a Priſoner, but with all Humanity; and was left on board the *Fortune* after her being a Prize, getting better uſage than he deſerved; yet that he the ſaid *Scudamore* in that Ship's Paſſage from St. *Thomas* to *Cabo Corſo*, did tempt this Deponent to come into the Meaſures he propoſed of riſing with the Negroes, telling, they could demoliſh the white Men, and afterwards go down to *Angola* and raiſe another Company, asking him whether or not he had a mind to go to *Cabo Corſo*, and be hang'd and ſun-dry'd? To which the Deponent anſwered, he was not afraid, and diſcover'd *Scudamore*'s Intentions to the commanding Officer; telling him alſo before it came to this, that he knew how to navigate a Ship, and would teach him to ſteer; and to confirm that he was in this Deſign the more, he underſtood the Priſoner had been talking to the Negroes in *Angolan* Language all Night; and told him the Deponent, that if they the *Swallow*'s People were not demoliſh'd that Night, they ſhould be the next; After the Diſcovery indeed he ſaid, *God forbid, he ſhould ſhed innocent Blood.*

Nicholas

Nicholas Brattle taken with the Priſoner in Captain *Rolls*'s Ship, ſwears, that when the ſaid Captain *Rolls* went from the Pyrate, tho' the other Men that were forced, gave Notes, and the Deponent in particular, to be put in the *Gazette*, the Priſoner reply'd he would give nothing: The Captain ſaid to the Deponent, he would put all but one Man in, which he ſuppoſes was the Priſoner; that on the other ſide alſo, he had heard him bemoaning his Condition.

Iſaac Barnet ſays, in his hearing the Priſoner asked *James Harris*, another Pyrate in the Prize, whether it was not better to endeavour the raiſing a new Company than to go to *Cabo Corſo*, and be hang'd like a Dog; and turned the Diſcovery to Horſe-racing when the Deponent came towards him; on which he acquainted the Officer, and moſt of them lay under Arms that Night.

The Priſoner ſays in his Defence, that he was a forced Man out of the *Cornwall*, Captain *Rolls* at *Calabar October* laſt; that he was threaten'd by *Valentine Aſhplant*, ſince executed; and afterwards by *Roberts* to ſign, and that he did it in Terrour; was moſtly on board the *Ranger*, but at being taken in the *Fortune*, becauſe he had a little time before been voted chief Surgeon to the Company in oppoſition to *Comrie* and *Wilſon*, who were ſet up alſo, ſaying it might have been their Chance, and as much out of their power to have refuſed: That as to his robbing the *Elizabeth*'s Medicine-Cheſt, and Captain *Trahern*'s, he was order'd by the Company, and *Hunter* the then chief Surgeon, which he dare not have refuſed, and this very *Child* (acquitted) had by the ſame Orders taken out a whole *French* Cheſt of Medicines, being the firſt Prize the Company had taken after his being with them.

As to what the ſame Deponent *Child* ſays of his attempting to riſe, and run away with the Ship, it was altogether untrue, and only a few fooliſh Words; ſaid the Deponent was as deep in as himſelf, for it was by way of ſuppoſition, that if the Negroes would, (conſidering the Watch they kept) might run away with the Ship, which the Deponent ſhewing ſome fear at, the Priſoner anſwer'd, that ſhould they the Negroes do it, that is, *Child* and the other Pyrates would not be hurt: That he had at other times told him, that he underſtood Navigation, and wonders it ſhould now be made matter of Accuſation againſt him: And as to his talking in Negro Language, he was only trying his Skill to ten twenty in it, owns alſo, one *James Harris* a Pyrate had asked him about riſing, and whether he had ſpoke to the Negroes about it? *Guilty.*

The Court after this proceeded to Sentence, *Peter Devine*, *John King*, *William Phillips*, *Samuel Fletcher*, *Philip Bill*, *William Main* Boatſwain, *William Mackintoſh*, and *William Williams*, in the Manner and Form as in the former ſix, *April* the 2d, firſt having asked whether they had any thing to ſay, why Sentence ſhould not paſs, *Samuel Fletcher* ask'd for two or three Paſſengers that were in the *King Solomon* to juſtify his being forced, and that he had a Family. *John King*, that only two or three Shirts proved againſt him by the Doctor: But the Court thought theſe Pleas too late, and that they had been allowed all fair Tryals, and therefore Sentence was given.

Then the Court Adjourned 'till to morrow Morning nine a-Clock.

By Command of the Court,

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle, *on the Coaſt of* Africa, *on* Friday April *the* 6*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw*.

THE Court being ſet, the following Perſons were called upon.

Agge Jacobſon.

Adam Comrie (acquitted) ſwears the Priſoner was on board the *Elizabeth*, to which Ship he was Surgeon, aſſiſting to the robbing her, particuularly ſome Bread he order'd over-board, ſwearing at the Deponent when he ask'd for ſome of it, that his Betters would be ſerved firſt; alſo when the Deponent was coming over the Pyrate-ſhip's ſide with his Captain to go away, this *Jacobſon* offer'd to ſtop him not only there, but told *Roberts* he was hid in the Boat, who by that means was called back and detain'd.

John Sharp, that he knows him very well to have been the Man that firſt ſtopp'd, and afterwards diſcover'd the former Deponent *Adam Comrie*, and was the means of his being brought on board the Pyrate againſt his Will.

James Munjoy Paſſenger in the *Elizabeth*, ſaye, that the Priſoner was one of the Pyrates on board there when the Ship was robb'd, vapouring and commanding very magiſterially.

Harry Glasby, that he was look'd upon as a truſty Man among the Pyrates, and uſed to be a Volunteer at going on board of Prizes.

Jacobſon ſaid, that he was a *Dutch* Man taken out of a *Dutch* Fly-boat at *Surnam* two Years ago, was then forced, but had nothing to ſay in Anſwer to the Evidence. *Guilty.*

Chriſtopher Granger.

John Sharp ſwore, the Priſoner had at ſeveral times on board the Pyrate told him, he was a forced Man, and that he hoped in a little time to get clear, was in the Carpenters Crew.

John Wingfield ſays, Captain *Rolls* to whom the Priſoner belonged, and was his Carpenter's Mate, had told him, all his Men were forced by the Pyrates except *Scudamore*.

Harry Glasby, that he is very ſure he was forced, becauſe he call'd himſelf an *Iriſh* Man, which Country Folks was againſt the Pyrates Rules to accept of, becauſe they had been formerly cheated by one *Kenedy* an *Iriſh* Man, who run away with their Money; and as they ſay, was a very great Rogue for it, but the Priſoner was betray'd in this by one of their Ship's Crew.

Robert Lilburn knows, he was taken at *Calabar*, *October* laſt, heard him ſay, while he was Priſoner in the *Swallow*, that he had, during the Action with

her, loaded and fired as faſt as he could; cannot ſay he appeared dejected among theſe People, but drank and incorporated with the Carpenters Crew, does not remember him to have been on board of Prizes.

Nicholas Brattle and *James White* both depoſe, he was forced out at *Calabar* from Captain *Rolls*, ſaying, he was an *Iriſh* Man, purpoſely to obtain his Releaſe, lamenting often afterwards his Condition, was ſoberly inclin'd, and averſe to their Courſes.

John Richards Boatſwain of the *Carlton* (acquitted) ſays, the Priſoner was on board of them at *Whydah* rumaging the Carpenter's Mate's Cheſt, and in particular took out a Hammer, but knows not whether he carried it away or no.

The Priſoner ſays for himſelf, that he was forced out of Captain *Rolls* at *Calabar October* laſt, and ſigned and ſhared both by Compulſion, the ſame in the Action with the *Swallow*, *Roberts* himſelf commanding him to a Gun, which he confeſſes he aſſiſted to travele; that he attempted an Eſcape at *Cape Lopez* with another his Conſort, but was ſeized by four of the Pyrates, who met them, and obliged them to turn off their Deſign, by ſaying, he was going to hide ſome Shirts for waſhing at another Opportunity, that he was kept to work as a Negro among them, and ill uſed. *Acquitted.*

Michael Mare.

Harry Glasby (acquitted) ſwears, the Priſoner he is convinced was on board the *Rover* when ſhe was taken, and made a Pyrate of, three or four Years ago, continuing with them 'till the Company broke up; that afterwards ſailing in a Sloop from *Martinico*, and meeting with ſome of the ſame Pyrates he was formerly with, he joyfully embraced his being a ſecond time Aſſociate with them, none but himſelf being taken out of the Sloop, becauſe it was againſt their Rules to take a Foreigner, which the Priſoner was, as well as the reſt of that Sloop's Company.

Robert Lilburn, that his Buſineſs in the Pyrate-ſhip was to make Cattouch-boxes; was ever very forward to go on board Prizes, appear'd with no Inclination to leave ſo wicked a Life, and has ſeen him return with Plunder from the Prizes.

The Priſoner pretended he could not ſpeak *Engliſh*; and being asked whether he could not ſwear in that Language? he readily underſtood the Queſtion; but anſwer'd, No, *Mynheer*: At length ſo much came from him in Confirmation of what the Evidence had ſaid, that he was in the *Rover*, and continued 'till they broke up; but was forced at firſt, proteſting in all that time he had never taken the Value of a Pin from any body. *Guilty.*

James Clements.

Harry Glasby and *Robert Lilburn* (both acquitted) ſwear, that he ſhew'd himſelf a very briſk, lively, young Fellow on all Pyratical Occaſions, not the leaſt uneaſineſs to this way of Life, but briſk, and often a Volunteer on board of Prizes.

He ſays for himſelf, that he is a *Jerſey* Man, forced out of the *Succeſs* Sloop at the *Weſt Indies* ſixteen Months ago, together with their Carpenter and the Mate; that ſince this his Actions has been forced, acknowledging he was on board the *Dutch* Man, whoſe Maſts they cut away to Windward, but not at that time they did it; confeſſes alſo he belonged to this Company when a Brigantine which was their Conſort, run away from them in the Night two Years ago, to ſet up for themſelves: As to the Action with the *Swallow*, he owns he was quarter'd to the ſmall Arms, but fired none; all the Aſſiſtance he gave in that Reſiſtance, being only getting up ſome ſteering Sails: And when asked, whether none of thoſe acquitted could ſpeak for him? he ſaid, No, he believed not. *Guilty.*

John

John Parker.

Harry Glasby and *Robert Lilburn* depoſe the Priſoner to have been a very brisk Hand among them, (*i. e.*) a great Pyrate; uſed to go on board Prizes in his turn, and return with Plunder; and they being asked the Nature of this going in turns, ſaid, they were called upon Liſt; and every Man that went, was allowed a ſhift, as they call it, that is, a Suit from top to toe; and that after the Quarter-maſter has done with taking what he thinks fit for the Company's uſe, thoſe that go with him do then ſerve themſelves; farther, that they are ſo far from being forced on his turn, that they often jangled among themſelves, and challenged it before it was really their due.

Stephen Thomas, that he ſeemed very brisk in the Action, being quarter'd on the Boombs with him, but deſerted that place after the firſt Broad-ſide, (as he ſuppoſes,) becauſe he thought it too warm work.

He ſays himſelf, he was taken and forced out of the *Willing Mind* of *Poole*, *June* was twelve months at *New-found-land*; owns he was quarter'd at the Braces in the Action, and had his Piſtols up with him, but did not uſe them, only helping to trim the Sails; that he ſigned and ſhared with them, as did every body elſe by the ſame force that kept him at firſt; accepted of nothing on board a Prize, but the Shares the Quarter-maſter allotted him, nor knows any Body acquitted can ſpeak in his behalf. *Guilty.*

Robert Haws.

John Sharp ſays, that the Priſoner told him during his Detention on board the Pyrate-ſhip, that he had been forced on board; but ſeemed to act among them with the ſame Chearfulneſs others did, not deſiring him to make Interceſſion for his Diſcharge, but only to remember him to ſome Perſons at home, that they were both acquainted with.

Harry Glasby ſays, that *Roberts* order'd Captain *Loan* to bring his Men there, and then pick'd out this and another; don't remember particularly his going on board Prizes: And as to the pretence ſome made, eſpecially this Priſoner, that he would have made his Eſcape, but that the *Fortune's* People kept a good Look-out, he the Deponent ſays, they were very careleſs in that point, often being all hands drunk, and no body fit for Duty.

Robert Lilburn ſays, he was quarter'd in the Main-top in that Action with the Man of War, and came down (with it) when that did.

Edward Evans Cook of the *Porcupine* when ſhe was taken by the Pyrates (acquitted) ſays, that this very Priſoner was on board tarring of her Decks, *&c.* in order to ſet her on fire, ond being daub'd at that Work, order'd the Deponent to fetch him a ſhift of Cloaths, which he did, owning the Priſoner gave him his dirty ones in lieu; which was the barbarous hand that actually ſet fire to her he does not know, but burnt ſhe was under the dreadful choice of periſhing by Fire or Water; thoſe who jump'd over-board to avoid the Flames that ſpread towards them, were immediately ſeized by the Sharks, who tore their Limbs off in the ſight of thoſe Villains, who took a cruel ſatisfaction in looking on.

John Wingfield ſays, that Captain *Loan* told him, if his Men had not been forward, they had no need to have ſtaid there, he having ingratiated himſelf ſo with that Crew, by being their Pilate into *Calabar*, as that they would deny him nothing; giving leave to two of the four Men they had detain'd of his to go back; and that the Priſoner and another were left, he ſuppoſes was with their own Conſent.

Samuel Sterling knows him, that his Friends were well to paſs in *North Yarmouth*, that the Priſoner had once an honeſt Reputation in the Town.

The Priſoner ſays, he was taken out of the *Joſſeline* at *Calabar*, Captain *Loan*, *October* laſt, that it was the firſt Voyage he had ever made to the South-

Southward, and had a Wife and five Children. Says he once endeavoured an Eſcape with a Conſort of his, who was to bring the Boat, but was diſappointed by the good Watch kept on board the *Fortune*, that he dare not communicate ſuch a Deſign to every body, a Diſcovery being Death to them, ſigned and ſhared, but never fired a Gun at the *Swallow*. To the matter of the *Porcupine*, he ſays, he was order'd into the Boat by the Quarter-maſter, and to take out the *Porcupine's* Negroes, and carry them on board the *French* Ship; that the Tarr fell on his Cloaths in the Boat, and denies he uſed any to the Decks. *Guilty.*

Robert Crow.

John Sharp witneſſeth, that the Priſoner while he was on board the Pyrate, had protected and ſaved Captain *Tarlton*, a Countryman and Priſoner, among them, from being ill-uſed by *Roberts*, and others whom he heard had threaten'd him, inſomuch that he had like to have incurr'd ſome ſevere Puniſhment about it, *Roberts* ſaying, that theſe Town-ſide Men (*i. e. Leverpool*) would riſe and murder all the honeſt Fellows; for which Reaſon, he would ſet a Centinel before his Cabin, telling this Man he was as great a Rogue as any of them.

Harry Glasby believes he might be forced at firſt, but ſince had done as others, (*i. e.*) robb'd and pillaged when he went on board Prizes in his turn, for there was none who did go, but brought Plunder back with them.

John Wingfield, that the Priſoner, with about nine others, were the Men who took Charge of the Brigantine (he was taken in) for the Pyrates at *Calabar*; that the Priſoner in particular had ſome of his Cloaths divided to him, of which he return'd only a Shirt.

He ſays himſelf, he was forced from the Sloop *Happy Return*, *William Taylor* Maſter, belonging to St. *Chriſtophers*, ſixteen Months ago, ſigned, and ſhared, but was abuſed and ſuffer'd much before he did it; he owned he had Shirt, Jacket, Coat and Breeches ſhared to him on board the Brigantine at *Calabar*, but had offer'd Mr. *Wingfield* to take back what was his; he was quarter'd in the Steerage to a Gun that was fired, but does not know by who, being gone forward to help making of Sail. *Guilty.*

Marcus Johnſon.

Captain *Joſeph Trahern* depoſes, that he was in the Pyrates Boat that attack'd and took his Ship the *King Solomon*, that he was armed in the Boat, firing a Volley upon them, and crying out, they were Pyrates, and would give no Quarters if they reſiſted.

George Fenn ſays the ſame, being Mate of the *King Solomon*, and remembers the Priſoner by a blue Shirt he had on that Day in particular.

Harry Glasby, that he was look'd upon as a brisk forward Hand among them; and being ask'd in particular, whether any were obliged or forced upon theſe occaſions into the Boat? ſaid, no: That theſe who were active and minded to recommend themſelves for brave Men, were thoſe that went, and were always Volunteers; thoſe in this Boat, and this Attack of the *King Solomon* eſpecially, ſaw him alſo in the Action on the Main-Deck with a Match in his Hand.

He ſays, he was born a *Greek*, and taken in a *Dutch* Company's Ship off *Aura* three Years ago, by *Davies* the Predeceſſor of *Roberts*, that he would have made his Eſcape if he could have ſwimm'd, owns himſelf on board the *King Solomon*, and that he was put Centinel by the Quarter-maſter; as to the blue Shirt, he confeſſes it was ſhared to him out of a *Dutch* Ship they had taken; he alſo owns he had fired one Gun againſt the *Swallow*. *Guilty.*

William

William Petty.

Captain *Joſeph Trahern* ſwears, the Priſoner was in the Pyrate-boat that attack'd and took his Ship, with the manner of it as before.

George Fenn his Mate, ſays the ſame of his attacking the *King Solomon*; alſo that he was very brisk there armed with Musket and Piſtols, and was down at taking their Sails up to go on board the Pyrate, in particular a Main-top-ſail.

Adam Comrie (acquitted) Surgeon of the *Elizabeth*, ſays, the Priſoner was on board when their Ship was taken by tht Pyrates; and asking for Canvas, he carried him to the Cabin, and ſhew'd him a ſmall parcel, at which the Priſoner ſwore he would make him find more.

James Munjoy Paſſenger in the *Elizabeth*, ſays, the Priſoner order'd him to hoiſt the ſaid Ship's Sails up.

Harry Glasby, that this Priſoner was one of the twenty who went out of the *Fortune* into the *Ranger* that Morning ſhe went in purſuit of the Man of War; that he being Sail-maker, might be order'd he believes a Day or two before to mend her Sails, and if he was ſo order'd, he was the only Man on that occaſion, the reſt offering themſelves very willingly.

The Priſoner ſays, he was taken in the *Onſlow*, Captain *Gee*, and made Sail-maker's Aſſiſtant on board the Pyrate againſt his Will, had a Wife and three Children; ſigned and ſhared, but compell'd to it. As to going on board the *Elizabeth*, he ſays was to ſee the Carpenter's Mate whom he knew, and to give him ſome Cloaths; his ordering the Sails out of her, was by the Quarter-maſter's Order firſt to him, and that he remain'd not above half an hour in the *King Solomon*. In the Action, he came that Morning on board the *Ranger*, by Order, to work, aſſiſted in hauling the Tack-aft after it was ſhot, to get away if they could. *Guilty.*

James Cromby.

Harry Glasby ſwears, that one *Phillips* a Pyrate had forced him, as *Phillips* himſelf confeſſed to the Deponent, ſaying, he ſhould not go home to tell Tales; he ſaw him go on board from the *Onſlow* with this *Phillips*, but was afterwards a brisk Pyrate; and in his turn on board Prizes, as the others were in the Action he was quarter'd in the Steerage.

James Munjoy, that he came on board the *Elizabeth* with a Cutlaſs in his Hand, when their Ship was robb'd, which he hung up in the Cabbin with the reſt, and fell to drinking and ſwearing, the Vices he ſaw they were all enamour'd of.

Stephen Thomas, that he ſaw him in Arms going into *Whydah*, and at attacking the *Swallow*, ſhewing himſelf as brisk as any body.

David Holliday a Paſſenger in the *Onſlow*, ſays, that the Priſoner received very good uſage immediately from ſome of the Pyrates his Countrymen (*Scots*) tho' many of the others were beat; and ſays, when they were all put on board the *French Royal Fortune*, which they exchanged for this *Onſlow*; that this Priſoner being order'd back by *David Simpſon*, ſeemed to go very willingly, tho' little *David* ſwore firſt (more to ſatisfy the Priſoner than any thing elſe,) that it ſignified nothing making Words that he muſt go.

The Priſoner ſays, he was taken *Auguſt* laſt in the *Onſlow*, and order'd out by the Quarter-maſter; he owns he was on board a *French* Ship at *Whydah*, but took nothing out of her; that his going on board the *Elizabeth*, was only to ſee a Ship-mate, and that *Phillips* gave him the fine Cloaths he was ſaid at Tryal to have had on: In the Action he was quarter'd in the Steerage at a Gun *Simpſon* fired, but that he run away when he ſaw 'twas the King's Ship. *Guilty.*

And then the Court Adjourn'd till to Morrow Morning Nine a-Clock.

By Command of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle *on the Coaſt of* Africa, Saturday April *the* 7*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq ;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw*.

THE Court being ſet, reſumed the Tryal of *George Wilſon*, which was begun the 30th of *March* laſt.

George Wilſon, a Surgeon.

John Sharp Maſter of the *Elizabeth*, in whoſe Ship the Priſoner was taken a ſecond time by the Pyrates (a Paſſenger,) depoſes, that he took the ſaid *Wilſon* from *Seſtos* on this Coaſt, paying for him to the Negroes the Value of three Pounds five Shillings in Goods, for which he had the Priſoner's Note payable to his Owners; that meeting one Captain *Kanning* after this, he ask'd him, why he would releaſe ſuch a Rogue as *Wilſon*, for that he had been with the Pyrates, and when the Deponent was brought a Priſoner on board the Pyrates; he found there one Captain *Thomas Tarlton*, who told him it was through the Priſoner's Occaſion he had been miſ-uſed and beat, and threaten'd to be ſhot, having been well treated before; that *Moody* and the Cooper of the Pyrates having their Piſtols about them, and in ſearch for that purpoſe, came to this Deponent's Hammock, thinking it had been *Tarlton*, but left him when they found the miſtake, ſaying, that was the honeſt Fellow that brought the Doctor; at coming away, he ſays the Priſoner asked about his Note, whether the Pyrates had it or no? but not being able to tell him then, the Priſoner reply'd, it was no matter, for that he believed he ſhould never come to *England* to pay it; that the Priſoner was very intimate with *Roberts*, and believes he did him what ſervice he could by giving him a good Character, and the like; and alſo that ſome of the Pyrates told him, this *Wilſon* the firſt time was forced.

Captain *Joſeph Trahern* depoſes, that the Priſoner ſeemed throughly ſatisfied with that kind of Life, and was very intimate with *Roberts*, they two uſing often to ſay, that if they ſhould meet with any of the Turnip Man's Ships, meaning the King's Ships, they would blow up, and go to Hell together; yet that none of the Pyrates liked him; even *Roberts*, with whom he was ſo intimate, told him in his Preſence (on a Complaint from a Man that *Wilſon* would not dreſs) that he was a double Rogue to be there a ſecond time, and threaten'd to cut his Ears off, if he had ever a Complaint again. That Captain *Thomas Tarlton* told them, the Priſoner being his Brother's Surgeon, taken by the Pyrates alſo ſome Months before, was going from the Pyrate-ſhip to fetch Medicines out of what they call'd the Prize, and by

ſtreſs

ſtreſs of Wind or Current could regain neither one nor other, and ſo was forced among the Negroes at *Cape Montzerado*.

Thomas Caſtles who was Paſſenger with *John Tarlton* the firſt time the Pyrates took the Priſoner, who was the ſaid *Tarlton's* Surgeon, depoſes, that he never heard him ſpeak well or ill of the Priſoner, but that *Thomas Tarlton* the Brother had ſpoken very ill of him.

James Munjoy a Paſſenger alſo in the *Elizabeth*, depoſes, that the Priſoner ſeem'd to him to go of his own accord from the *Elizabeth* when ſhe was taken by the Pyrates, who cry'd to him, G——d d——n you, what are you here again?

John Taylor of the ſame Ship, ſwears, the Pyrates and the Priſoner ſeemed glad to ſee one another; that he ſhifted himſelf with a Shirt was none of his own, but withal that he heard ſome of the Pyrates ſwear, he was not a Volunteer the firſt time, but d——n 'em he ſhould go with them now; and likewiſe that the Priſoner told him, *Tarlton* had given him an ill Character.

William Smith of the ſame Ship *Elizabeth*, depoſes, that to Appearance the Priſoner ſeemed glad to meet the Pyrates again, and that he was ſhifted with a Shirt he knew was none of his own.

Adam Comrie (acquitted) ſays, the Priſoner was a Paſſenger with them in the *Elizabeth*, when they fell into the Hands of the Pyrates, and had an Account of his Indiſpoſition and other Occaſions, received Civilities from him; and tho' when they met the Pyrates, he had juſt ſaid it was hard fortune to be taken twice by them, yet borrowed a Shirt and Drawers of the Deponent, ſaying, he would go on board and ſee *Roberts*, and haled the Pyrate as they came under his Stern, calling to *Roberts*, that he was glad to ſee him, and would come on board preſently; afterwards when the Deponent was on board the Pyrates, he underſtood was thro' the Priſoner and *Scudamore* the the chief Surgeon's means he was detain'd; particularly *Child*, another Surgeon there, told the Deponent, he had heard *Wilſon* tell *Roberts*, that this ſame *Comrie* ſhould go; that he ſigned the Pyrates Articles very willingly, and afterwards uſed Arguments with him to do the ſame, telling him before it was in vain for him to hide; that they ſhould in eight Months make their Voyage by going to *Brazil*, and ſhare ſix or ſeven hundred Pounds, and then break up; that when Comrie was one of them put up to be voted Surgeon of the Company, he told him, he ſhould be glad if he carry'd it, for a Quarter-ſhare (which they had more than others) would be worth looking after: And the Priſoner deſiring he might be asked, whether he had not expoſtulated with *Roberts* for a Reaſon of their obliging Surgeons to ſign? Whether he had not expreſs'd himſelf glad of having formerly eſcaped from them? Whether he had not ſaid about the Pyrates firing at *Whydah*, that would it not be good ſport were it not in an unlawful way, meaning the gaining of Practice in his buſineſs? And whether if he had not told him, that if the Company diſcharged any Surgeon, he had not inſiſted it was his turn, and hoped they would grant it? To which the Deponent ſeverally anſwer'd, Yes, that it was true; and that *Scudamore* had not ſeen *Wilſon* 'till they both came together in the Pyrates Boat, nor does not know what Ship *Scudamore* came from.

William Child (acquitted) ſays, when the Priſoner in the *Elizabeth* came under *Roberts's* Stern, he haled the Ship, and told him he was very glad to ſee him; and at coming on board, had preſently a laced Hat and Shirt given him; that he told *Scudamore* in his hearing, there was a Surgeon on board this *Elizabeth*, and that if he had a mind to take him he ſhould be his Conſort; on which Words *Scudamore* ſaid he would have him, and went on board for him.

Robert Lilburn, that *Roberts* haled the *Elizabeth*, and order'd them to ſend *Wilſon* on board; that *Scudamore* was on board the Pyrate when *Wilſon* firſt came; that at the firſt time he heard a Vote was to be put, whether he

ſhould

ſhould be cleared, he deſired the Deponent's Intereſt therein; he does not know whether he eſcaped this firſt time of his own choice, or of neceſſity thro' the ſtrength of the Current or Wind driving them away.

The Priſoner in his Defence ſaid, that being Surgeon with one *John Tarlton* from *Leverpool*, he was a firſt time taken by *Roberts* the Pyrate; and after being detain'd a Day or two, was ſent to fetch his own Cheſt on board, and not Medicines, as was depoſed, which opportunity he took to make his Eſcape, which he did with five *French*, and one *Engliſh* Man, with the hazard of his Life at *Cape Mountzerado* on the Coaſt of *Africa* among a barbarous People, where he remain'd five Months, and where *Thomas Tarlton* Brother to his Captain, in another Ship chanced to put in for Trade, and not only refuſed to take the ſaid *Wilſon* off, by reaſon he ſaid he had been with the Pyrates, but would not relieve him ſo much as with a piece of Meat or a Biſket, tho' he ſent him Word of his ſtarving Condition, and asked it as an Alms; he was after this, as he ſays, releaſed from among the *Cape Mountzerado* Negroes by a *French* Ship, but by reaſon of an Indiſpoſition he had contracted by a hard and bad living, ſet a-ſhore again by him at *Seſtos*, where Mr. *Sharp*, one of the Deponents, met him, and paid the Negroes a Ranſom for him of three Pounds five Shillings in Goods, as had been related; and took the Priſoner's Note. That when he came a ſecond time into the hands of theſe Pyrates, and met there this *Thomas Tarlton*, he could not ſpare uſing ſome Reproaches of him, for what he thought was Inhumanity, which getting to the Ears of *Roberts*, he took upon him, as a Diſpenſer of Juſtice, the Correction of this *Tarlton*, beating and miſ-uſing him grievouſly, without any Intention the Priſoner ſays he had, that his Words ſhould have had ſo bad a Conſequence; and therefore hopes the Court will not impute it as a fault upon him, ſince he is not charged as an Actor in it, and perhaps what he ſaid *Tarlton* ſuffer'd among them, might be from other Motives: He cannot remember he expreſs'd himſelf glad to ſee *Roberts* this ſecond time, or that he dropp'd ſuch Expreſſions about *Comrie* as he is charged with; but grants if ſuch Expreſſions fell from him, or that he paid the ſaid *Roberts* undue Compliments, or Deference, he did it with Intention to ingratiate himſelf, and gain a good Treatment from him, and this was no more than what every Priſoner endeavoured at and practiſed, that had any regard to their own Intereſt. As to what *Child* alleages, he is very ſure it is untrue, for that *Scudamore* belonged to, and was on board the *Ranger* when the *Elizabeth* was taken, and himſelf a Priſoner in the *Fortune*, having never ſeen *Scudamore* from his firſt coming on board *Roberts*, 'till he came and brought *Comrie* with him. The Conſideration of his Youth, the ſhort time he was with them about a Month, and that in no military Employ, and laſtly, the Service he had done in diſcovering to Captain *Ogle* the Pyrates Deſign of riſing in our paſſage to *Cabo Corſo*, would plead, he hoped, in his behalf with this Court, and move them to Clemency.

Tryal deferr'd on the earneſt Requeſt of the Priſoner, for a final Determination, to the 17th of *April*.

John Phillips.

Adam Comrie Surgeon of the *Elizabeth*, ſwears, he came with the other Pyrates armed on board their Ship, and order'd the Deponent to take down their Piſtols that hung up in their Cabin, and put them by; then asked for Liquor, knocking off the heads of the Bottles like one who did not deſign to pay for them; after this, he asked for the Key of the Eſcrutore, and if it was not found preſently, threaten'd he would break it open; the ſame he ſaid likewiſe of the Captain's Cheſt, which he emptied, and then order'd it to be fill'd

fill'd again with what he lik'd, 'till the Quarter-maſter came on board, and took the Command out of his hands.

John Sharp Maſter of the *Elizabeth*, that he ſaw this very Cheſt come on board the Pyrate-ſhip, and put down in the Hold.

Captain *Joſeph Trahern* and *George Fenn* both ſwear, that he was one of thoſe that came armed in the Pyrates Boat to attack and take their Ship in the manner former Affidavits have related.

John Wingfield, that when he was taken by the Pyrates at *Calabar*, the Priſoner abuſed him, calling him a Supercargo Son of a B——h, that he ſtarved the Men, and that it was ſuch Dogs as he that put Men a Pyrating; and when the Deponent told him the Captain was always Victualler, he ſwore if he ſpoke another Word, he would throw him over-board.

Stephen Thomas ſwears, he ſaw him fire ſeveral Guns in the Steerage againſt the *Swallow*, and before this at *Whydah* alſo abuſing Priſoners very much.

The Priſoner ſays, he was taken out of a Fiſhing-boat at *New-found-land* twenty Months ago; that none indeed were denied going on ſhore at *Sieraleon*, but that Mr. *Archbold* Factor of the Fort, he was afraid would be detain'd 'till he or others ſhould be found again, if they had run away: Owns he was on board the *Elizabeth* Brigantine, and *King Solomon*, taking care 'till the Quarter-maſter came; did not fire his Gun, as was depoſed, but ſays it was becauſe they could not bring it to bear. *Guilty.*

Chriſtopher Lang.

George Fenn depoſes of the Priſoner, that he came with the Sail-maker's Aſſiſtant of the Pyrate on board their Ship *King Solomon*, aſſiſting with the reſt to the robbing of her; in particular, the Priſoner was ſo generous as to give him a Can that was his own before.

William Smith Boatſwain of the *Elizabeth*, ſays, the Priſoner asked him for the Palm and Sail-needles, telling him, it was becauſe the old Sail-maker ſhould not take them away, deſigning to return them; and the Deponent believes he would, for he was a drunken Fellow, and of no Eſteem among the Gang, they abuſing him, and often calling him drunken Dog, and that they brought him out of the Brigantine for Charity.

James Munjoy, that he heard ſome ask *Smith* the former Deponent, about what he ſays as to the Needles, and that he was buffoon'd and ridiculed by moſt of his Comrades.

Adam Comrie, that he ſaw him meddle with nothing in the *Elizabeth* but Liquor, and that they kept the poor Fool always at Work on the Sails as a Slave.

Harry Glasby depoſes, that the Pyrate-ſhip to which he was Maſter was in at *Sieraleon*, in order to clean, *June* laſt, and continued there ſix Weeks; that during this time, every body had Liberty, and were on Shore, when, and as often as they would; at his firſt coming, this Deponent ſays, among them, he muſt conſequently be a forced Man, becauſe the Brigantine to which he belonged was ſunk by the Pyrates, and he taken out and put Sail-maker on board the *Ranger*.

The Priſoner ſays, he was forced from the *Thomas* Brigantine at *New-found-land*, *October* laſt was twelve Months, ſinking their Veſſel; and was employ'd by the Pyrates in mending their Sails; he ſays, he was quarter'd on the Quarter-deck in the Action with the *Swallow*, and help'd to traverſe the Gun, but run away when the Shot came thick; he appeared a poor inconſiderable Wretch, and therefore the Court referred him to *Marſhalſea*.

Thomas Diggles.

Harry Glasby (acquitted) ſwears, the Priſoner was look'd upon truſty enough, and not ſuſpected of going away; he fell to drinking, and be-

came one of the Company as ſoon as he came on board his Station among the Carpenters.

Robert Lilburn (acquitted) is ſure this Man was forced, becauſe the proper Carpenter made two Chalks, *Go* or *Stay*, if he hit the firſt he was to go with them, if the ſecond he was to ſtay with them.

Benjamin Parr, that the Priſoner had often attempted to make his Eſcape; and that the Deponent, with the Priſoner and three more, were agreed to that end the laſt time they were at *Anna-Bona*, but had no Opportunity.

He ſays for himſelf, that being forced out of the *Kitty Snow*, *Nicholas Hennick* Maſter, nine Months ago, being then bound to *Jamaica*, he could not any where make his Eſcape, unleſs among the Negroes; and owning that he was on Shore at *Sieraleon*, he was asked, why he did not run away there? In anſwer to which, he ſaid, They, the Whites there, had threaten'd to hang 'em; owns he was on board the *King Solomon* in his turn, and that his Quarters in the *Fortune* was below, to ſtop Lakes that might happen; that while cleaning at *Sieraleon*, they were kept to work, and were told they ſhould have Liberty to go on Shore after the Work was done, and then was hinder'd. *Acquitted.*

William Fernon.

Captain *Joſeph Trahern* knows the Priſoner to be one of thoſe that came in the Pyrates Boat armed to take his Ship, in the manner as has been related in former Affidavits; that he ſaw him ſet as a Centinel on his Cabbin by the Quarter-maſter of the Pyrates, when he the Deponent was order'd out of her.

George Fenn Mate, ſwears alſo, he was one of them (Pyrates) armed in the Boat that took them, that he came ſwearing and curſing, as did ſeveral others of them, to him, to know who it was fired that Gun, (for Captain *Trahern* had fired one Musket,) threatning the Perſon who did it; and this Priſoner in particular asked them how they dare do it, Don't you ſee (ſays he) that Ship commanded by the famous Captain *Roberts*.

Harry Glasby ſwears, all that went in that Boat, or on any Occaſions of Attack, were Volunteers; that the Priſoner was an active Man among them, and often in Boats.

Adam Comrie, that he knows the Priſoner to have come among the reſt on board the *Elizabeth*, and was the briskeſt among them, ſetting the People to work for getting her Goods out, in particular that he threaten'd the Deponent with hard Language; and when he told him a piece of Callico that lay then before them was his, this Priſoner with an Oath cries, Do you know where you are? Is any thing here yours? and concluded, that if he ſpoke a Word more, he would cut his Ears off.

James Munjoy ſays, he ſaw him very forward in the *Elizabeth* at over-hauling and plundering Cheſts.

The Priſoner ſays, he was taken out of the *Sadbury*, *William Thomas* Maſter, nineteen Months ago at *New-found-land*; that he had not had any Opportunity ſince for eſcaping: As for *Sieraleon*, the white Men had threaten'd them that they would hang 'em; that he was ſhot at once as he was endeavouring an Eſcape at *New-found-land*: As to the *King Solomon*, he was bid by *Roberts* into the Boat, telling him he was forward enough at other times: And to the *Elizabeth*'s Robbery, that he was order'd by the Quarter-maſter in her; at which the Court asking, why they voted for ſuch a Quarter-maſter, ſince what he did, being choſe by their Votes, was their Action; he anſwer'd, truly he did not vote for him, but for *David Simpſon* the old Quarter-maſter, for that this Succeſſor *Magnes* was too honeſt a Man for the Buſineſs. *Guilty.*

Daniel

Daniel Harding.

James Munjoy, that the Priſoner was with the reſt of the Pyrates on board at plundering the *Elizabeth*.

Harry Glasby, that at firſt the Man was forced, for he ſaw the Quarter-maſter go, who had told him he would bring all the *Engliſhmen* out of this *Dutch* interloping Ship that he belonged to; but that he had Opportunity enough, as had all of them, to have left the Pyrate-ſhip at *Sieraleon* if they pleaſed.

Robert Lilburn, that he was looked upon as a brisk Man, and was on board all or moſt of the Prizes they had taken.

John Stodgill (acquitted) ſays, he ſaw the Priſoner on board the *King Solomon* buſy with the reſt in ordering the things to be hoiſted up.

He ſays, he was forced out of a *Dutch* Interloper belonging to *Flaſhing*, ten Months ago, and beat for refuſing; that ſince he had no Opportunity to get off, but among Negroes: As to the Eaſineſs of doing it at *Sieraleon*, he ſays there were two or three that had made their Eſcape, and had not ſince been heard of, but were ſuppoſed to be kill'd: He owns he was on board the *King Solomon* in his turn; had little to ſay, he ſaid, in his Defence, nor had he ever complain'd to any body, that he wanted or deſired to get away: He was quarter'd in the Steerage in the Action. *Guilty.*

John Taynſon.

James Munjoy depoſes of the Priſoner, that he came on board of the *Elizabeth* with the reſt of the Pyrates that plunder'd her, but was more buſy at drinking than any thing elſe.

Harry Glasby, that he belonged to the *Ranger*, whoſe Company he was not ſo well acquainted with as with their own; that he bore a ſatisfied Countenance always when he came on board the *Fortune*.

John Arnought (acquitted) depoſes, that the Priſoner was order'd on board the *French* Ship that was taken at *Whydah*, to carry her from thence to *Cape Lopez*; and that theſe firſt Men that were on board, were theſe that brought her out, and conducted her thither; and both he and *Glasby* ſays, that *Roberts* knew nothing of their bringing her away, nor approved it, becauſe ſhe had ranſomed as the other Ships did.

John Wingfield, that he knows him to have belonged to the *Ranger* when their Brigantine was taken at *Calabar* by them, ſome Days before the *Royal Fortune* came up, and ſeemed a very brisk hand among them.

The Priſoner ſays, he was taken in the *Love of Lancaſter* the 18th of *July* was twelve Months coming from *Virginia*; that he ſhould have made his Eſcape, but that they came from the *Weſt-Indies* directly upon this Coaſt, and at *Sieraleon* was never on ſhore but one Day; the wanting a Boat in the *Ranger*, to which he belonged, in the Action was quarter'd in the Fore-caſtle. *Guilty.*

Michael Lemmon.

Harry Glasby, that he was as brisk, and as often drunk as the reſt of the Company.

Ibo. Stretton Carpenter's Mate on board the *Onſlow*, ſays, that *David Simpſon* beat him from out the Hold, and forced him along with 'em; that the Priſoner made a pretence of being ruptured, and therefore unfit for their turn; but they had no regard to it.

William Smith, that he was one of thoſe put on board the *French* Ship at *Whydah* to carry her to *Cape Lopez*.

John Stodgill, that he had often wiſhed himſelf away, not liking the way of living, and believes his Inclination was different from the Company he

was

was in; he was one of the Boat's Crew that ſhifted the Guns from one *French* Ship into the other, but does not know whether he came on board the *French* Ship they brought away, before or after ſhe got up her Anchors.

He ſays, he was Quarter-maſter in the *Onſlow*, taken *Auguſt* laſt; confeſſes he was one of thoſe ordered into the *French* Ship taken from *Whydah*, but that ſhe was out and under ſail before he went; in the Action ſays he did no Duty, not being well. *Acquitted.*

Joſeph More.

James Munjoy Cooper, a Paſſenger in the *Elizabeth*, ſays, that the Priſoner was on board the *Elizabeth* with the reſt, vapouring and ſwearing; that ſome Incident having engaged them into warm Words, the Deponent told him, he was not afraid of his white Hat, at which the Priſoner asked him with a great Oath, if he knew where he was, and gave him a very ſmart box on the Ear; and being told of it ſince he had been a Priſoner in *Cabo Corſo Caſtle*, he impudently told him, he would do the ſame were it to do again.

John Sharp juſtifies the latter part, being then within hearing.

The Priſoner made a lame Defence, as that he was like the reſt, at firſt forced out of the *May Flower* Sloop twelve Months ago, and had no Opportunity to eſcape, by their ſo ſuddenly coming from the *Weſt-Indies*; that if he had attempted it at *Sieraleon*, and been catch'd, he ſhould have been ſerved as *Williams* was, two Laſhes thro' the Company, or marooned; and being asked what this Marooning was? he anſwer'd, it was a Puniſhment among them for ſomething notoriouſly villainous, ſuch they accounted Deſertion; and whenever it was carry'd againſt an Offender, he was put on ſhore on ſome uninhabited Cape or Iſland, with a Gun, ſome Shot, a Bottle of Powder, and a Bottle of Water, to ſubſiſt or ſtarve: He was quarter'd between Decks to a Gun in the Action, but was not down, his Help being wanted to ſet and trim the Sails to get away, which they lay more dependance on. As to the Cooper and Mr. *Sharp*'s Evidence, he owned it; and being asked, whether he had not once before broke Priſon? ſaid faintly, No, he had not. *Guilty.*

Abraham Harper.

Captain *Trahern* ſays, that the Pyrates wanting his Water, would have ſent a Pump on board, but this Priſoner who was Cooper of the Pyrate, ſwore, he did not uſe to ſend Pumps on board of Prizes, and bid 'em ſcuttle the Casks; But in his Favour ſays withal, that upon a home Repreſentation of the Miſchief of it, and what Good would redound to him by it, he grew ſorry, and at one time lamented to him his being there, and how glad he would be to get off; but was diverted from further Talk of it, by *Roberts* drawing nigh them.

James Munjoy a Cooper, and Paſſenger in the *Elizabeth*, ſays, the laſt Night they kept in Company with this Pyrate-ſhip, the Priſoner came to him, and told him, Cooper, I'll do you no harm, but I muſt have ſome of your Tools; and accordingly over-haled the Tub they were in, and put them by; and as he never ſaw them any more, ſuppoſes they were carried out of the Ship by the Priſoner, or his Directions.

John Sharp ſays, this Priſoner was he who together with *Moody* were in ſearch of *Tarlton*, having each a Cutlaſs and Piſtol, threatning to kill him the ſaid *Tarlton* if they found him, as has been depoſed on *Wilſon*'s Tryal; that he ſaw him with Arms on at chaſing a *Dutch* Ship while he was on board, and always had a Rattan like an Officer in his Hand, directing about the Proviſions, and what elſe immediately related to his Office.

Harry Glasby ſays, that he had been once on board the *Onſlow*; that he ſeemed ſo far from being forced to act in the Pyrates ways, that when the Quarter-maſter called for Drink or any thing elſe, he with a merry Countenance

nance always readily obeyed him, and was in every Prize, as were all Officers in the Ship, to fetch their proper Stores out.

John Wingfield says, that the Quarter-master of the Pyrates having left them ten Casks of Beef after they had taken the Brigantine at *Calabar*, four of them after that were taken out by the Instigation, and at the Order of this Prisoner, saying, it was too good for their People.

The Prisoner says, he was forced out of the *Onslow* into the *French Royal Fortune*, and when they had exchanged her with Captain *Gee*, back again into the *Onslow* by *David Simpson*, who drove him over the side: That he was newly out of his time, had a Father of good Reputation at *Bristol*, and had with Captain *Gee* 50 *s. per* Month, which he hoped the Court would think Inducements to continue honest, and not to have been among the Pyrates without Compulsion. As to the Tools of *Munjoy*, he says, he was obliged to look by the Quarter-master's Order, but took none away; that his being in search of *Tarlton* armed, was by *Roberts*'s Order, who had told the Prisoner he had hid the said *Tarlton*, and threaten'd him very much if he did not find him. To what *Wingfield* witnessed, he only recriminated some ill usage that Person had done the Captain of the Brigantine, who dyed while he was a Factor with him; owns he was quarter'd to a Gun that was fired, but not by him. *Guilty.*

Then the Court gave Directions for a Warrant to be made to morrow for the Execution of the following Prisoners upon *Monday*, sentenced *April* the 5th.

Peter Divine, *William Phillips*, *Philip Bill*, *William Main* Boatswain, *William Mackintosh*, and *William Williams*.

Then the Court Adjourned 'till to morrow Morning nine a-Clock.

By Command of the Court,

John Atkins, Register.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corso Castle *on the Coast of* Africa, Monday April *the* 9*th*, 1722.

Captain *Mungo Herdman*, President.

James Phipps, Esq;	Mr. *Samuel Hartsease*,
Mr. *Henry Dodson*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnsley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanshaw*.

THE Court being set, called for the following Prisoners.

William Wood.

Captain *Joseph Trahern* and *George Fenn* depose, that he was one of those came armed to attack and take their Ship, in the Pyrates Boat;

the former ſays, he was with him the Voyage before, and then behaved himſelf dutifully enough.

Thomas Stretton was by when the Priſoner was asked by *Roberts*, as were ſome others, whether they were willing to go with them? for that he would force no body; but they making no Anſwer, he cry'd, theſe Fellows want a ſhow of Force; and believes not only him, but moſt of thoſe out of the *Onſlow* were Volunteers, they agreeing one with another to enter.

Harry Glasby, that the Priſoner was brisk and free among his Aſſociates, tho' not ſo deſperate as many others: He ſays, all were Volunteers in that Boat that took the *King Solomon*, it being contrary to their Rules to force any body on an Attack; that he was one of thoſe alſo that was put on board, and brought the *French* Ship out of *Whydah* Road.

The Priſoner pretended Force in all that was witneſſed. *Guilty.*

John Horn.

Harry Glasby ſays, the Priſoner was a Soldier, Paſſenger to *Cabo Corſo Caſtle*, and that moſt of the Company of Pyrates were againſt entering ſuch; that all thoſe from the *Onſlow*, of which the Priſoner was one, he believes were Volunteers, they appearing over-joyed when accepted of, which the Pyrates told him was out of pure Charity, giving them only a fourth part ſhare to ſhew their Contempt of them.

Thomas Eddy ſays, he was Miner for *Cabo Corſo*, and Paſſenger in the *Onſlow* with the Priſoner; that when ſhe was taken by the Pyrates at *Seſtos*, he was on ſhore, not coming off in three or four Days afterwards, and then ſaw the Priſoner going off from the *Onſlow* with the Pyrates, unconcerned on board the *Ranger*.

Robert Lilburn ſays much the ſame with *Glasby*, that no body cared to have Soldiers on board, and it was generally talked of among the Pyrates, that none were forced from the *Onſlow*; nay, that more would have enter'd than they would accept of.

The Priſoner ſays, he was coming down a Soldier to *Cabo Corſo* in the *Onſlow*, and after being taken, was forced to take on with the Pyrates. Signing and Sharing with them, owns he was on board the *French* Ship at *Whydah* to carry her out, but that it was by Orders he could not help. *Guilty.*

Robert Johnſon.

George Fenn, that he was one of thoſe in the Pyrates Boat that attacked and took their Ship, but was ſomewhat civiler than moſt of them, giving back ſome of their own freſh Victuals to feaſt on.

Harry Glasby ſays, that at his firſt being taken out of the *Jeremiah* and *Ann* twelve Months ago, he got ſo drunk with the Pyrates, he was forced to be hoiſted out with a Tackle, and into the *Fortune* again the ſame way; yet afterwards became a forward Man, and was in the Action, by the Quarter-maſter's Command, quarter'd to the Helm.

Robert Lilburn ſays as *Glasby* has done in former Affidavits; that all thoſe Men who attack'd the *King Solomon* were Volunteers; that altho' it was his turn, yet he went as Volunteer on this Service, claiming the Privilege of going a ſecond time to make good what was properly his turn; moreover that this which they call their turn, is not ſo forced as they would have it believed, they often engaging in Diſputes that it was their turn before it came about, on Account of the Encouragement of a Shift allowed by the Company to them that went.

He ſays for himſelf, he was forced out of the *Jeremiah* and *Ann*, Captain *Inrner*, about twelve Months ago, and had no Opportunity of eſcaping at *Sieraleon*; he ſays, *William Williams* was laſhed by every Man in the Company for attempting it: In the Action, he ſays, he was firſt at ſetting Sails, after-

afterwards at putting a Stopper on the Main-ſhroud, and after that at the Helm.

Captain *Turner*'s Oath of his being forced, appear'd, but was juſtly of little Weight with the Court, their Conſideration being chiefly on the ill Behaviour and Villainy committed ſince; for if a Man's being honeſt once, were allowed to excuſe his ſubſequent Rogueries, there were few even among theſe Pyrates, but could have cleared their Innocency. *Guilty.*

Thomas Watkins.

Harry Glasby ſays, that the Priſoner was a Houſe Carpenter, Paſſenger to *Cabo Corſo* in the *Onſlow*; that the Pyrates deſpiſed moſt of them that enter'd with them, and received them, on their Petitions, only out of Charity, yet that this ſame *Watkins* being a Houſe Carpenter, and they wanting, as he heard them ſay, a Joyner to make Cartouch Boxes in room of *Maar*, that was always drunk, believes he might be ſtopt on that Account, was put to look after the Carpenter's Store-room on board the Pyrate.

Thomas Eddy Paſſenger in the ſame Ship the Priſoner was taken, ſays, he believes nothing of his being a Volunteer with the Pyrates, who, he ſays, ſet him to work, and told him nothing of the Priſoner's being to go with them, 'till the laſt Day.

He ſays, he was never before at Sea, entirely ignorant of every thing belong'd to it, and handled the Braces of the Pyrates Ship, and other Service in the Action, as they directed him to, thro' fear. *Acquitted.*

Joſeph Mansfield.

Captain *Joſeph Trabern*, that this Priſoner was one of thoſe in the Pyrates Boat that attack'd and took his Ship, calling themſelves Pyrates in the Boat, firing a Volly, and crying no Quarters if they reſiſted; he remembers him particularly, for a large Glaſs of his that this Fellow got firſt, but *Moody* took it away from him, threatning to blow his Brains out (a bullying Expreſſion frequently with them) if he did not give it to him, and the Conteſt ended with this Man's ſurrendring of it.

George Fenn ſays the ſame of the Priſoner being in that Boat at attacking the *King Solomon*, yet ſaw afterwards that he was looked on as a Cypher among them, having ſometimes a Share, and ſometimes a Beating.

Harry Glasby ſays, that the Pyrates Boat being a Watering at *Dominico*, an Iſland in the *Weſt-Indies*, this Priſoner came on board Volunteer in her; that he had ſince his being there told the ſaid Deponent, he had run away from the *Roſe* Man of War, and that he had heretofore been robbing on the Highway, was always drunk; and particularly after they had ſtruck to the *Swallow*, he came up vapouring with a Cutlaſs, to know who would go on board the Prize; and it was ſome time before they could perſwade him to the truth of their Condition.

He ſays for himſelf, he was taken in a Sloop from *Antegoa* about ſixteen Months ago, and had a Piſtol clapp'd to his Breaſt before he came off in the Pyrates Boat from *Dominico*: In the Action, he ſays he was drunk and aſleep, and aforetime to have been too guilty of that Vice, which had a great Share in drawing him into ſuch Company. *Guilty.*

John Watſon.

Harry Glasby ſwears, the Priſoner was fetch'd out of a Snow, Captain *Lady*, at *Cape Mount* in *Auguſt* laſt, with three or four more, by their Quarter-maſter, how far againſt their Will he knows not.

Benjamin Parr believes he was forced; for that the Priſoner, with himſelf and three others, had concerted Meaſures for their Eſcapes, both at *Calabar* and *Anna-Bona*; but ſince that of *Williams* at *Sieraleon*, they had taken diligent

diligent Care about their Boats while they continued at the former Place and truſted on Shore at *Anna-Bona* only one of a Meſs.

It was the firſt Voyage, coming for himſelf, and appearing young, and unskil'd in the Trade of Pyrating, the Court *Acquitted* him.

Thomas How.

Captain *Joſeph Trahern* and *George Fenn* his Mate, both depoſe, that the Priſoner was one of them that came in the Pyrates Boat to the attacking and taking his Ship; the latter adds alſo, that he was as finely dreſs'd as a Fool, and was employ'd moſtly in mending and making the Colours.

Harry Glasby, that he was received for being a Taylor; on board lazy, and ſick always, unleſs at thoſe times Prizes were taken, and then forward, and as brisk as any body; no Force uſed on theſe Occaſions, even Taylors challenged their turns.

He ſays, he was taken out of a Fiſhing-boat in *Trapaſia* Harbour *Newfound-land*, about nineteen Months ago, could never get on Shore in the *Weſt-Indies*; he owns he had a Piſtol on at attacking the *King Solomon*, and that *Glasby* might have gone too, if he had a Fancy. He went into the *Kanger* that Morning alſo, he ſays, for his Fancy. *Guilty.*

John Stevenſon.

Joſeph Trahern and *George Fenn*, that this Priſoner was one alſo at attacking and taking the *King Solomon* in the Pyrates Boat, in the manner related in former Affidavits.

Harry Glasby ſays, he was taken by the Pyrates out of the *Onſlow*, whether with or without Conſent, he does not know; but after he had taken on, was for cutting the chief Mate's Ears off in the *Onſlow*, if the other Pyrates would give him leave.

Thomas Stratton Carpenter's Mate of the *Onſlow*, ſays, the Priſoner asked for Cloaths and Arms of *Roberts* as ſoon as he came on board; and that he and ſix or ſeven more of the *Onſlow*'s People, after a little qualming about it, did enter.

David Holliday, that the Priſoner came the ſecond Day after they were taken by the Pyrates to him, who was alſo a Paſſenger in the *Onſlow*, telling him, the Tradeſmen would be ſtarved at *Cabo Corſo* where he was going, and adviſing him to take on with them; and he refuſing, the Priſoner commenced preſently an ill Will towards him, threw his Cloaths over-board, and got him ſeveral times well beat after.

He ſays, he is of *Whitby* in *Yorkſhire*, and taken in the *Onſlow*; that the Day of the Fight being lame with the ſtroke of a Cutlaſs he had received from another Pyrate at *Cape Lopez*, he could not fight, yet was fore and aft the Deck; that his being in the Boat to take the *King Solomon*, was occaſioned by *Roberts* ſaying to him, he would be forward enough if a Prize was a long ſide, taxing him, as he thought, with Puſillanimity. *Guilty.*

Hugh Menzies.

Harry Glasby ſays, he was taken out of the ſame Ship he was, and forced, being twice beat becauſe he whined and cry'd to get away; they called him on board *Dead Hugh Menzies*; was quarter'd in the Powder-room in the Action, and was a great Inſtrument in ſaving her from being blown up.

Robert Lilburn, never on board of Prizes, and was quarter'd in the Powder-room.

He ſays innocently, he thought every Day a Year, and had no Liberty to go on Shore but on the Coaſt of *Guinea*, which he was more afraid of than of the Pyrates. *Acquitted.*

Then

Then the Court proceeded to give Sentence againſt the following Perſons, *viz.*

James Skyrm, John Walden, Iſrael Hynd, James Greenham, Peter Scudamore, Agge Jacobſon, Michael Mare, James Clements, John Parker, Marcus Johnſon, William Betty, Robert Crow, Robert Hawes, John Phillips, William Fernon, Daniel Harding, John Jaynſon, Joſeph More, and *Abraham Harper.*

YE and each of you, are ſentenced and adjudged to return to the Place from whence ye came, from thence to the Place of Execution, and there within the Flood-marks to be hanged by the Neck 'till ye are *Dead, Dead, Dead.* And the Lord have Mercy upon your Souls.

After this, you *James Skyrm, John Walden, Iſrael Hynd, Peter Scudamore, Agge Jacobſon, John Phillips,* and *William Fernon,* ſhall be taken down, and your Bodies hung in Chains.

Dated the 9th of *April.*

Signed,

Mungo Herdman,
James Phipps,
Henry Dodſon.
Francis Boye.
William Menzies,
John Barnſley.
Charles Fanſhaw.

Then the Court Adjourn'd 'till to Morrow Morning at Nine of the Clock.

By Order of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle, *on the Coaſt of* Africa, *on* Tueſday April *the* 10*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw*.

THE Court being ſet, called for the following Priſoners.

Andrew Ranee,

Harry Glasby ſwears, the Priſoner was forced out of a *Dutch* Ship, at *Axim*, they had taken ſix Months ago; and after he was come, and attempted to go back to his Ship, *Main* the Boatſwain of the *Royal Fortune* very civilly ſtopt him at the ſide, and ſaid he ſhould ſtay for Country's ſake, (being a *Scot*.)

Robert Lilburn, that he was taken at *Axim*; and he with *James White*, ſays, he ſeemed to him a very civil Fellow, but knows no Particulars, unleſs that he would be merry, and drinking as others.

He owns he was on board the *French* Ship they carried from *Whydah*, but by Order. *Marſhalſea.*

Robert Dixon.

Harry Glasby ſwears, the Priſoner was among the Pyrates before his time, that he was look'd upon as a truſty Hand among them, and never ſuſpected of running away,

Robert Lilburn, the ſame of him the former Deponent does; and adds, he was a ſwearing Fellow, very miſchievous where they had the Maſtery, and on board all the Prizes they robb'd down this Coaſt.

He confeſſes himſelf, he has been two Years among them, had no Opportunity to make his Eſcape in the *Weſt-Indies*, and here there was always a Report the Negroes would kill them. He was taken in the *Revenge* Sloop of *Antegoa* by the *Guard le Coſte* of *Martinico*, and ſet on Shore at *Dominico*, and he with twelve more were forced by the Pyrates when they came in; that he had gone away once, and was taken again; owns he went on board their Ship at *Whydah* before they weighed, but not above three Prizes more along the Coaſt. *Guilty.*

Thomas Sever.

John Richards Boatſwain of the *Carlton*, ſwears, that the Priſoner was one of them that came on board their Ship at *Whydah*: Yet over a Glaſs of Wine, the Priſoner lamented his Condition very much; and ſaying, tho' he had received their Money, he was ſure it would never do him any good.

Harry Glasby, that he was forced out of Captain *Rolls* at *Calabar*, *October* laſt, was once cleared, and coming down again in the Boat with him,

Captain

Captain *Roberts* detain'd him, and could by no Interceſſion either of *Rolls*, or from himſelf, get away from them.

James White (acquitted) belonged to the ſame Ship the Priſoner was forced out of, ſays, that he being in the Pyrates Boat when they went to burn a Negro Town there, which he ſuppoſes was with hopes to make his Eſcape, he received a Shot in his Shoulder, and deſir'd of *Roberts* for that reaſon that he would acquit him; and this Deponent alſo ſays, that not a Week before they met with the Man of War, this Priſoner told him, he would take the firſt Opportunity to get away.

The Priſoner ſaid, he had endeavour'd an Eſcape at every place they had been at, and had done it at *Anna-Bona*, but that he heard *England* had burnt a Negro's Town, and was afraid to truſt himſelf; owns he was on board the *Carlton*, quarter'd in the Fore-top, ſtaying there 'till the Main-maſt came down, and then thanked God for the Deliverance he thought was coming, and came down. *Acquitted.*

James Morrice.

Harry Glasby ſwears, he ſaw the Quarter-maſter beat him, and force him on board, being reputed among the quieteſt and civileſt of the Crew.

John Richards and *James White* (acquitted) ſwear him to have been a very ſober, civil Fellow, no way miſchievous like many of them, and ſeemed to abhor their way of living. *Acquitted.*

Thomas Davies.

Harry Glasby knows the Priſoner was forced out of *Rolls*, but does not remember that he appeared any ways frighten'd after this Force.

John Richards Boatſwain of the *Carlton*, (acquitted,) ſays, that he came on board their Ship in the ſecond Boat to row the Quarter-maſter on board; that the Quarter-maſter being angry a Rope was not handed for the Boat, order'd the Priſoner to beat the Deponent, which he did two or three Blows with the flat of his Cutlaſs, not to hurt him; that abating this, he ſhew'd himſelf civil, neither plundering nor taking any thing away.

He ſays, he ſtruck the Boatſwain by the Quarter-maſter's Order, and did it to prevent his being worſe uſed by him; he was quarter'd in the Steerage, he ſays, but preſently called away, before any Fire was made on the Man of War, to make Sail. *Acquitted.*

John Willden.

Harry Glasby depoſes, the Priſoner was taken out of Captain *Lady* about *Auguſt* laſt, knows nothing whether forced or not, was brisk at going in Boats, and dancing continually. And being asked, whether he appeared in Arms at going into *Whydah*, and againſt the *Swallow*? ſays, that all were at the firſt Place, and that they had them not on when the Man of War engaged them, was want of time.

John Richards, (acquitted,) that the Priſoner appeared to him a half-witted Fellow, and ever in ſome Monkey-like fooliſh Action.

He ſays, he is an Apprentice to one *Thomas Cockſheet* of *Leverpool*, was quarter'd on the Main-Deck in time of Action, but never fired. Refer'd to *Marſhalſea.*

William Church.

James Groot Mate of the *Gertruych* from *Holland*, ſwears, that the Priſoner belonged to their Ship when the Pyrates met them the 14th of *December*, N. S. about four Leagues from *Gabone*; after which, the Priſoner was ſent for on board the Pyrate, whether of his own Deſire he cannot determine; but that after he was there, he informed him of ſome Wine that was in the

Ship,

Ship, and they rumaged for it in vain; before this, was very civil and did his Duty.

Harry Glasby, that he came from this *Dutch* Gally, and it was their Rule to take all *Engliſh* out of Foreign Ships.

Andrew Brandwood (an *Iriſh Man*) belonging to the ſame Ship, ſwears, he heard the Pyrates ſay, Men they wanted, and Men they would have, him they refuſing becauſe of his Country; but the Priſoner was grievouſly beat and miſ-uſed, the Marks of which Blows he afterwards ſaw on his Body; yet for Incivility, he ſaw no ſuch thing offer'd to him.

The Priſoner was a Drummer, he ſaid, and being under ſome Difficulties in *Holland* to get his Livelyhood, had a Trick put upon him there, and was forced to make a ſort of Sale of himſelf to *Africa* for clearing the Debt, that tho' he ſhould have been glad to have got quit of this Servitude at any honeſt Rate; he would not go with the Pyrates 'till he was beat, and had it pretty handſomely all the way they rowed for his murmuring: When the *Dutch* Ship he belonged to was diſcharged, he ſtood ready to return to her, but *Main* the Boatſwain of the Pyrates ſtopt him. *Acquitted.*

Richard Harris.

Jacob Groot, that when the *Gertruycht* Gally was taken, and violently forced from them by the Pyrates four Leagues from *Gabone*, he was Mate of her, and ſaw this Priſoner on board, who he underſtood was Sail-maker, he ordering all her new Sails away, and would have done alſo thoſe from the Yards, only the others would not let him; alſo when the Quarter-maſter had left their Carpenter ſome things in his Cheſt, forbidding further Plunder, this Priſoner turn'd it up ſide-down, and being asked a Reaſon of it, beat the Carpenter.

Harry Glasby ſays, he was Sail-maker to the *Fortune*, and according to his Office went on board Prizes to fetch Sails, Canvas, or what elſe he wanted in his way; and when the Deponent would have interceeded with the Company to give Captain *Trahern* a Main-top-ſail back, this Man withſtood it; he ſays alſo, he was one of the Jury at *Dominico*, when himſelf, another white Man, and a Negro, were for Deſerting, ſentenced to Death over a Bowl; that the two latter were actually ſhot, and he eſcaped only by a Fancy *Valentine Aſhplant* (a leading Man among them) took to him.

The Priſoner ſays, he was taken by the Pyrates about nineteen Months ago in the *Phœnix* of *Briſtol*, *John Richards* Maſter, bound to *Boſton*, and has had ſince no Opportunity of eſcaping: He would ſay ſomething, he ſays, but fears there are too many Witneſſes againſt him: As to the *Dutch* Evidence, he has bely'd him, for he took away but one Main-ſail, as he hopes to be ſaved; and the Carpenter, not about Tools, but ſome Tobacco that was in the Cheſt, that he would have defrauded him of. *Guilty.*

George Smith.

Dan Vanderperl Mate of a Ship called the *Fluſhing*, taken by theſe Pyrates the 14th of *January*, N. S. above *Baſſam*, ſwears, that this Priſoner was one of them that went on board to rob them, and likewiſe after that to cut the Fore-maſt away; that the Pyrates having miſſed three of the Negroes, and ſuppoſing they were hid in this Ship, came to ſearch, threatning very hard, that if they did not find them, they would ſink the Ship.

Jacob Groot, another *Dutch* Man, ſays, that being Mate of the *Gertruycht* Gally, which the Pyrates had violently aſſailed, and wreſted from them, this Priſoner was one of thoſe armed to do it, taking away a Main-top-maſt, and

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* N.B. *An Iriſh Evidence.*

Main-

Main-yard, and Sprit-ſail-yard, he with his Cutlaſs ſpoiled and hacked every thing he thought was not worth removing; moſt of all, he inſiſted thoſe Fellows had ſpoil'd him ſome very good Sauſages, he and others ludicrouſly ſtringing them about their Necks for a time, and then throwing them away.

Harry Glasby ſays, the Veſſel the Priſoner belong'd to was ſunk; he knows nothing certain of Force uſed at firſt, but afterwards the Priſoner had ſeveral times ſpoken to him about means to do it, one time at *Hiſpaniola*, about ten of them were away two Days and a Night, whereof himſelf and the Priſoner were two, but having loſt their way, and in a deſolate part of the Iſland, came down again, almoſt to the ſame place they ſet out from, and then being ſeized by the Pyrates, they made ſuch Excuſes for their Abſence, as they thought would moſt pleaſe: After this, the Priſoner and he would have gone with the Pyrates Boat down to *Jamaica*, but *Roberts* had conceived a Diſtruſt, and chain'd her up. The Veſſel the Priſoner belonged to was ſunk, and he conſequently forced; but ſince that, he had given ſuch Proofs of his good Will, as not to be ſuſpected any more of running away, and reckon'd a good hand amongſt them.

He ſays in his own behalf, that he was forced out of the *Mary* and *Martha*, *Thomas Willcocks* Maſter, belonging to St. *Chriſtophers*, ſixteen Months ago, but had been ſick ſeven or eight Months of the time: He owns he was on board the firſt *Dutch* Ship, but not at cutting her Maſt away, which he heard was done by *Miſs Nanny*: and was on board the other, but both by Orders: In the Action quarter'd to ſmall Arms. *Guilty.*

And then the Court order'd a Warrant to be iſſued out for the Execution of

Agge Jacobſon, William Fernon, Michael Mare, John Phillips, Marcus Johnſon, James Clements, John Parker, William Petty, Robert Crow, Robert Haws, Joſeph More, Daniel Harding, John Jaynſon, and *Abraham Harper.*

And then the Court Adjourn'd till to Morrow Morning Nine a-Clock.

By Command of the Court.

John Atkins, Regiſter.

A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, Wednesday April the 10th, 1722.

Captain *Mungo Herdman*, President.

James Phipps, Esq;	Mr. *Samuel Hartsease*,
Mr. *Henry Dodson*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnsley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanshaw*.

THE Court being set, called for the following Prisoners.

William Williams. (2d.)

Harry Glasby has heard him talk, and wishing to get away, even since they have been upon this Coast, yet has seen him go on board of Prizes with his Arms on, but civiler in his way than many of the others.

John Richards Boatswain of the *Carlton*, swears, the Prisoner was on board their Ship at *Whydah* with the rest of the Pyrates that robb'd her; in particular, that he wore a loose Coat, and a Wig of their Captain's all the time he was on board.

He was taken in the *Sadbury* twenty Months ago at *New-found-land*, and had been weak and ill, or had since that made his Escape: In the Action, he handed up Wadds and Shot, which he was oblig'd. And being told, his Neck was in danger for obeying their Orders; he said, Please your Honour, he could not help it if it was, he put his Trust in God, he knew no Friend here. *Guilty.*

Hugh Ridley.

Stephen Thomas swears, he was taken in the *Diligence* Boat the 5th of *January* last, belonging to the Company, whereof he was Master; and that the Pyrates Quarter-master beat this Prisoner about a Block that tumbled down; did not see any Application to *Castles* the Super-cargo to get off; but she being sunk by the Pyrates, must consequently be forced; nor did he appear merry or jocose all the time he was there.

He says, he served sixteen or seventeen Years in the King's Service, and when taken, made pressing Instances to the Super-cargo *Castles* to get him cleared; that he had Money due from the Company, and the Vessel he belonged to was sunk, both Arguments he hopes of being forced; quarter'd to a Gun in the Main-Deck not fired. *Acquitted.*

William Darling.

William Champnies swears, he appeared always disconsolate; has heard him say, even since he arrived upon the Coast, of his Willingness and Design to get away; did not see him in the Action.

Harry

Harry Glasby ſwears, that he was forced out of the *Jeremiah* and *Ann*; was a Caulker, and employed as ſuch on board the Pyrates, went in his turn on board of Prizes, but does not remember him, like others, to have brought any thing away; and ſuch as was ſhared to him, he has often known him to return back to the Priſoners.

Robert Lilburn, that he was forced out of the ſame Ship he was, by beating over the ſide; ſeemed very uneaſy, and had agreed with one *Wright* Carpenter of the *Jeremiah* and *Ann*, (forced alſo,) to run away; but when *Wright* got away at *Calabar*, this Priſoner grew crazy at the Diſappointment; alſo in particular, the Shift he was allowed on board Captain *Kanning*, he return'd again to the Owners.

George Fenn, that the Priſoner was on board the *King Solomon* civiler than what could be expected among ſuch Company, and in particular hinder'd their Carpenter from being beat.

Benjamin Parr belonging to *Kanning* when he was taken by the Pyrates, ſays, the Priſoner was civil; and, contrary to the reſt, return'd the Mate of their Ship his things again that fell to his Share.

He ſays, he was taken laſt *April* in Captain *Turner*, bound to *Virginia*, who has taken an Oath of his being forced, now lying on the Table; that he was abſent a whole Day at *Sieraleon* to get away, but miſſed of a Canoe they waited for; afterwards was agreed with the Carpenter taken out of the ſame Ship with him, who left him at *Calabar*, to his great Regret, having heard the ſaid *Wright* gave his Money to *Roberts* to wink at it. *Acquitted.*

George Danſon.

William Champnies belonging to Captain *Hyngſtone March* was twelve Months, when he was taken, ſays, this Priſoner alſo belonged to them, and was forced out, he is very certain, by the Pyrates; that ſince he has been ſeven or eight Months ſick, and only as he knows of in one *French* Ship to Windward: He was juſt married when they came out of *England*; and he has heard him ſay, he ſhould be glad to get home again.

Harry Glasby, is very ſure he was forced out of Captain *Hyngſtone*, has been ſick almoſt ever ſince, and obliged to ſend others in his turn on board of Prizes, which the Pyrates were honeſt enough to allow of.

The Priſoner ſaid, he never deputed but one to keep his turn; and that when he came on board of that *French* Ship, the others grumbled, and ſaid it was not his turn; Quarter-Deck in the Action: Beſides this, the Oath of *Hyngſton* made in *England*, was on the Table, that he was forced. The Court thought fit to acquit him. *Acquitted.*

William Daviſon.

William Guineys Mate of the *Porcupine*, ſays, he was forced away from their Ship, at refuſing to ſign the Pyrates Articles for ſome time.

Edward Evans of the ſame Ship, (acquitted) ſwears, the Priſoner being ſent with the Mate on board of the Pyrates, was detain'd much againſt his Will. *Acquitted.*

Charles Bunce.

William Guineys ſays, the Priſoner was one of them that ſwore he ſhould take care of the Watch during *Skym's* Illneſs, that his Vote ſway'd much, and believes he ſhould not have been put on that Office, but thro' him.

Harry Glasby and *Robert Lilburn* ſwear, he was taken out of a *Dutch* Gally at *Accim*, ſeven or eight Months ago, and might have gone away when the Pyrates diſcharged the Ship he belonged to, but he being ſo complaiſant as to come aft to make a Bow, and wiſh *Roberts* a good Voyage; he then cry'd, this Fellow only wants a little Encouragement, and orders that he and all

the

the *Engliſh* ſhould be ſtopt: He was a brisk Fellow, and commonly called Captain *Bunce* among them, for that he took upon him to preſcribe often in Salutes, ſaluting the Pink at *Cape Lopez*, and telling *Roberts* the *Ranger* ſhould have thirteen when ſhe came: Was in *Skyrm*'s Meſs.

George Fenn ſays, he was alſo on board the *King Solomon* with the reſt of them that came in their turns; he did not ſee him in particular take any thing, but wiſhed to the Deponent he could make his Eſcape.

John Stodgill, that the Priſoner was accounted a brisk Man, was ſtiled Captain *Bunce*, and in the *Little Ranger* ſaluted the *French* Ship with three Guns when ſhe righted at *Cape Lopez*,

The Priſoner ſays, he was taken in the *Semm* Gally a *Dutch* Ship, but an *Engliſh* Captain, about ſeven Months ago off *Axim*; that he had ſpoke ſeveral times to Captain *Loan*, while he was a Priſoner, to ſpeak for a Diſcharge, and was actually forced, tho' he owns the reſt of the *Dutch Men* would have taken with the Pyrates, if they would have accepted of them; was quarter'd in the Quarter-Deck. *Guilty*,

Samuel Morwell.

William Guineys Mate of the *Porcupine*, ſays, the Priſoner was one of the Hands that rowed them on board the Pyrate-ſhip, and was there detain'd againſt his Will, ſeveral times complaining of that, as alſo of making him to ſign.

Edward Evans belonging to the *Porcupine*, the ſame Ship the Priſoner did, ſays, that being order'd to go and help to row the Mate on board the Pyrate at *Whydah*, was detain'd againſt his Will, he often wiſhing to the Deponent, he could know any way to get clear, never believing he ſhould get home again.

The Priſoner ſays, he had been twenty three Days on board, and had no Share or Prize taken ſince he belonged to them; that when the Man of War engaged them, he pray'd to be taken, and refuſed his help, going into the Head. *Acquitted.*

Thomas Owen.

Harry Glasby ſwears, the Priſoner was forced out of the *York* of *Briſtol* three Days after he was taken; and had not only try'd with the Deponent to eſcape at *Corvacou* and *Hiſpaniola*, but after this Diſappointment was dejected, not ſwearing or curſing; at the attacking any Ship, in his turn he went, and it was what every body took.

James White, that the Priſoner was a brisk hand in going on board of Prizes.

Stephen Thomas never ſaw him in Arms, was brisk in the Hold, or on any Sailor's Buſineſs, but knows nothing elſe.

The Priſoner confeſſes he had been eighteen Months with the Pyrates, forced out of the *York* coming from *Virginia*, and had not communicated his Complaints to any body of his diſliking his living, becauſe of the Danger and Puniſhment would follow on a Diſcovery; was quarter'd at one of the Fore-caſtle Guns, but never fired. *Guilty.*

Peter Laſhley.

Harry Glasby ſays, the Priſoner was very forward in going on Board of Prizes, and thinks he remembers him in one at *Whydah*; As to the Pyrates detaining of any Negroes while they lay at *Seſtos*, he knows nothing of it.

David Holliday Paſſenger in the *Onſlow*, to which this Priſoner belonged, ſays, that when this ſaid Ship was taken by *Roberts* the Pyrate at *Seſtos*, the Priſoner was on Shore; that he in coming off, went on board the Pyrate-ſhip firſt, and then came to the *Onſlow* ſuddled, uſing his old Acquaintance very cruelly,

cruelly, by driving them imperiouſly to work, and ſaucily commanding them to throw the Company's Goods in that Ship over-board, inſomuch that the Quarter-maſter reprimanded him, and ask'd him how he dare do it, ſince they were under his Protection? Indeed, when he became ſober, he expreſs'd himſelf ſorry for it, and went from them crying.

John Wingfield ſays, the Priſoner was one of thoſe Pyrates who had Poſſeſſion of the *Mercy* Gally at *Calabar*.

Stephen Thomas and *James White*, that he was as brisk a Man as any, often on board of Prizes, and without the leaſt Uneaſineſs at his Errors: The former adds, that he ſaw him in Arms going into *Whydah*.

The Priſoner ſays, he was on ſhore at *Seſtos* when *Roberts* the Pyrate came into that Road, and took the *Onſlow*; three Days afterwards he was forced off by the Negroes, being firſt ſtript, for the Releaſe of ſome Negroes which they pretended were kept by the Pyrate 'till thoſe *Engliſh* came; and the ill Uſage on ſhore made him once ſay, as they were rowing off, that it was better going on board the Pyrates than on Shore: Again, he ſays *Holliday* has no Conſcience, that he had ſpoke to Captain *Trahern* as pitying his Uſage, but that he neglected to make Interceſſion with him to gain a Diſcharge, is what he cannot help. *Guilty.*

William Taylor.

Harry Glasby ſays, the Priſoner was one of thoſe who with himſelf and others, attempted an Eſcape at *Carraccow* and *Hiſpaniola*; that ſince the Diſappointment, he often had bemoan'd himſelf almoſt every Night, and to him ſince he had been on this Coaſt.

James White, that he bemoan'd himſelf alſo to him at *Calabar*, ſaying, he had a Wife and Children at *Briſtol*, and believes he would have been glad to have got away; being ſober, and given to Reading, not ſwearing and bullying like others of them.

Robert Lilburn, that he was on board of Prizes, and return'd with Plunder; and what was worſe, being quarter'd under the *Fortune's* Gang-way, he ſaw him fire a Gun againſt the Man of War, no body but himſelf being at it, and he believes almoſt drunk, for he fell down after he fired.

He confeſſes he has been about eighteen Months with theſe Rogues, and taken in the *Little York* of *Briſtol*, ſince which time he has ſhed many Tears at his Courſe of living; he was forced too, and had attempted many Eſcapes on the Coaſt of *Guinea*, the Boats were chained; yet believes he might have got away at *Sierraleon*, for he thought God could never proſper him long; but then whereto? (ſays he;) Amongſt People he was more juſtly afraid of than Pyrates; ſtood in the Action to the Fore-brace; and as to firing, he cannot deny it, but ſays he was drunk. *Guilty.*

Joſeph Noſſiter.

Harry Glasby and *Robert Lilburn*, both depoſe him to have been as forward a Man as any in the Company, when he was in Health.

And his own Confeſſion is more, acknowledging to have fired one Gun againſt the Man of War; at firſt, he ſays, he was taken out of the *Expectation* of *Topſam*, twenty Months ago, by the Pyrates, who ſunk her, and took all their main Hands out; that he had at *New-found-land* attempted going away, but was catched again. *Guilty.*

John du Frock.

Harry Glasby ſwears, the Priſoner was taken out of the *Loyd* Gally, Captain *Hyngſton*, againſt his Will, and believes he might then have got clear of the Pyrates; but for the Old Carpenter they had then on Board, his future Behaviour was conformable to *Roberts*'s Humour, who uſed with Oaths, and other

ill Language to ſend him on Board of Prizes for what Carpenter's Stores they wanted; ſaying, he was the beſt Judge.

Robert Lilburn ſays, he or his Mate uſed to go on Board Prizes for Stores, he ſeemed not at all pleaſed with their Allotment, and uſed to deſire, or order his Mate, ſhifting the Office from himſelf.

William Champnies, belonging to, and taken out of the ſame Ship, the Priſoner was Carpenter of, ſays, that he was forced from them, and afterwards voted Carpenter with the Pyrates, which he very unwillingly accepted of, lamenting his Condition often, and that he ſhould be forced to go on Board of Prizes for Stores.

John Wingfield believes him to be the Man who carried a Pump from the Brigantine to which he belonged, and was taken in at *Calabar*, tho' the Carpenter had told him, the Brigantine was leaky, but withal thinks, he went twice to Captain *Roberts*, to repreſent the Miſchief of it before it was taken away.

Jacob Groot, that he is ſure this very Priſoner was the Man who took away their Sprit-ſail-yard, coming purpoſely, and only for that.

Stephen Thomas knows him Carpenter of the *Fortune*, brisk in his Buſineſs; but does not remember him to have ſo much as been out of the Pyrate-ſhip while he belong'd to her.

The Priſoner ſays, his being Carpenter, was being Slave to 'em, and that all his Actions were thro' the ſame compulſions as that; when he went on Board the Brigantine, the Carpenter told him ſhe was leaky, at which he return'd to *Roberts*, who ſwearing, ſaid, he would not only have the Pump, but Main-maſt too if he wanted it, and ordered him back again; that he a ſecond time came from the Veſſel with *Wingfield* on the ſame Errand, and diſowns he ever took it away; as alſo he does the *Dutch* Man's Sprit-ſail-yard, tho' owns he was on Board, and in the Action was quarter'd in the Hold. This with the Oath (*September* 2d, 1721, taken 26 *March* was 12 Months) that *Hyngſton* had taken of his being forced, made the Court refer him to *Marſhalſea*.

Cuthbert Goſs.

John Richards Boatſwain of the *Caſtle*, ſworn, ſays, that the Priſoner was on Board their Ship all the time ſhe was in the Pyrates Poſſeſſion at *Whydah*, and was there by Order of the Quarter-Maſter, examining the Arms, Cheſts, taking Arms out of it, and had a Cutlaſs in his Hand.

Harry Glasby ſays, he was with them a ſort of Armourer brisk as others, and that he, and all thoſe who went into the *Ranger* that Morning ſhe went out, did it of their own Accord, the Word being paſſed, who will go to bring the *Portugueze* in?

William Child, Surgeon of the *Mercy* Galley, to which the Priſoner belonged, and was Gunner, is ſure he was forced out of their Ship, *Roberts* himſelf beating him on Board the Pyrate-ſhip; and often ſaid, he hoped to ſee him again in *Briſtol*, and believes he meant it was to make his eſcape.

The Priſoner ſays, he was forced out of the *Mercy* Gally at *Calabar*, *October* laſt; was one of the twenty came out of the *Fortune* that Morning ſhe was taken, and ſet on the Fore-Caſtle, he ſays, to bring the Ship in her trim to get away. *Guilty.*

Order'd

Order'd that a Warant be drawn out for the Execution of

James Skyrm, *John Walden*, *Iſrael Hynd*, and *Peter Scudamore*, on *Friday* the 12th Inſtant.

Then the Court Adjourn'd 'till to Morrow Morning at Nine of the Clock.

By Order of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle, *on the Coaſt of* Africa, April *the* 12*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw*.

THE Court being ſet, called for the following Priſoners.

Edward Watts.

Jean Gowelt ſwears, that the Priſoner was one of the ſixteen who came on board their Ship the *Fluſhing*, whereof he was Mate: And *Gerrat de Haen* Maſter, he came on board with a Cutlaſs, the Deponent ſays, and cut the Laniards of the Shrouds, while others were cutting down his Foremaſt; that this Company robb'd him of his Proviſions and his Goods.

Harry Glasby ſays, he was a brisk hand, that is, at Pyrating; knows nothing of his being forc'd at firſt, but is ſure thoſe that went on board of this *Dutch* Ship went voluntarily.

Robert Lilburn, does not know whether forced or not, only this, that Captain *Roberts* called the *Onſlow* People aft, and asked who was willing to go, and who not? for he would force no body; therefore ſuppoſes they were at their choice; and afterwards told them, he ſaw they were willing, but wanted ſome Force.

The Priſoner ſays, he was forced out of the *Onſlow* with theſe Pyrates, but brought no Proof of it; that he asked *Roberts* to go back with Captain *Gee* of the *Onſlow*; as to the *Dutch* Ship, he was on board of her, and on Deck in the Action. *Guilty.*

James Barrow.

Jean Gowelt ſwears, that this Priſoner was one of the ſixteen alſo, and came armed with Cutlaſs and Piſtols on board of them, drinking hard that Night, and the next Day following to robbing and plundering of them; in par-

particular, he ſays, they cut off all the Heads of their Fowls, and ſung at Supper *Spaniſh* and *French* Songs out of a *Dutch* Prayer-Book; and the Priſoner beat one of their Ship's Company for coming to ſee what they were doing, when he was Centry above.

John Wingfield ſwears, the Priſoner a Pyrate, was one of thoſe had the Brigantine in poſſeſſion at *Calabar*, behaved himſelf extreamly civil while on board when taken, and made offer to hide himſelf there, if he would carry him off.

He ſays for himſelf, that he was taken out of the *Martha* Snow, Captain *Lady*, and was forced to do what he did: If the *Dutch Man* ſwears againſt him, he ſays he cannot help it, he was no Century, and that the Deponent is a lying, reprobate Beaſt: In the Action was only at hoiſting the flying Gib, and then lay down on the Fore-caſtle. *Marſhalſea.*

John Mitchel.

John Gowelt Mate of the *Fluſhing*, depoſes alſo of this Priſoner, that he was one of the ſixteen that was armed and took the Ship he belonged to, the *Fluſhing*, in their Poſſeſſion, and robbed him, ſtaying on board 'till next Day.

Harry Glasby knows nothing of Force at his firſt coming, but when with them, acted as forward as the reſt in going on board of Prizes, but uſed his power leſs barbarous than others: They who went on board the *Ranger*, the Morning ſhe was taken, were Volunteers.

Robert Lilburn ſays, he was a very forward Man, and on board moſt Prizes that were taken; no body called to go on board the *Ranger*, they who had a mind went, yet has wiſhed to the Deponent often he was at home.

John Wingfield, that he was on board the Brigantine at *Calabar* to take poſſeſſion of them, and believes the Priſoner was one of them among whom his Cloaths were divided.

He ſays, he has been eight Months with theſe Pyrates, and was forced out of the *Norman* nigh *Cape Verd*, being bound for *Antegoa*; owns he was one of the ſixteen, but ſays the Quarter-maſter order'd him: And being told he would ſuffer, and follow this Quarter-maſter, anſwer'd, He could not help it, he lay at the Court's Mercy, it was his turn, and had done no body any harm, did not know who to truſt in conſulting an Eſcape; was forward on the Fore-caſtle to trim the Ship for Sailing, in order to get away from the Man-of-War; owns he was one of the twenty that came from the *Fortune* on board the *Ranger* that Morning ſhe was taken, but, as he ſays, order'd by the Quarter-maſter. *Guilty.*

Then Sentence was given againſt

William Wood, *John Horn*, *Robert Johnſon*, *Joſeph Mansfield*, *Thomas How*, *John Stevenſon*, *Robert Burtſon*, *Richard Harris*, *George Smith*, *William Williams* (2d.) *Charles Bunce*, *Peter Laſbly*, *William Taylor*, *Joſeph Noſſiter*, and *Cuthbert Goſs*.

Then the Court Adjourned 'till to morrow Morning nine a-Clock.

By Command of the Court,

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle *on the Coaſt of* Africa, Friday April *the* 13*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq ;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw*.

THE Court being ſet, called for the following Priſoners.

William Shuren.

Robert Lilburn (acquitted) ſwears, the Priſoner was forced out of the ſame Ship he was, on board the Pyrate, he had wiſhed ſince that he had been at home, but went on board of Prizes in his turn.

Harry Glasby, that he went in his turn on board of Prizes.

George Smithſon and *Benjamin Parr*, that he was a drunken Fellow, and that they never knew him to have been on board of Prizes.

John Stodgill, he has heard him call it a Misfortune to be there, but hoped he ſhould get away one time or other.

There appeared an Affidavit of Captain *Turner*, of his being forced from him: And ſays himſelf, he ſhould have been very glad to have got clear, if he knew how, at *Sieraleon*, he was not acquainted, and too much afraid of the Negroes. *Guilty.*

Joſhuah Lee.

Harry Glasby ſwears, the Quarter-maſter brought all the Men out of the *Martha* Snow, Captain *Lady* of *Leverpool*, of whom the Priſoner was one, but how far with his Conſent he knows not.

John Wingfield, while he was Priſoner with the Pyrates at *Calabar*, ſays, it was their Practice to ſend the Boat down to look out whether any Ships were coming up or not, and believes verily the Priſoner was one whom he ſaw go armed for that purpoſe.

John Davies ſays, the Priſoner and himſelf had been agreed and reſolved to run away at *Anna-Bona*, if they had not met with the *Swallow* before it could be put in practice; the Priſoner, he ſays, alſo adviſed him the Deponent to paſs for an *Iriſh Man*, as the beſt pretence to be rejected by them.

Robert Hartley, that in *Calabar* the Priſoner, himſelf, and others, were in a Contrivance together for eſcaping, and believes it was not with his Inclination he remain'd there.

George Smithſon, that he had at times ſpoke to him of his Deſire to get away, in particular at *Jacquin*, thoſe in the Conſult having given a *Portugueze* Boat a piece of Stuff for their Aſſiſtance.

He ſays, he was forced out of Captain *Lady*, *Auguſt* laſt, and kept againſt his Will: In the Action he ſet on the Fore-caſtle. *Guilty.*

Thomas Giles.

George Smithſon, that he never heard him talk of his being forced, nor was he dejected, looking out well always for Sails, and would call down he ſaw one often, when there was none.

The Priſoner's own Confeſſion was, that he was beat out of the *Mercy* Gally *October* laſt at *Calabar*, by *Magnes* the Pyrates Quarter-maſter, ſaying, he ſhould go, being his Neighbour at *Minehead*; he ſays, it came to his turn only once at *Whydah*, but was not on board, was allowed only one quarter Share in that; he was not brisk, 'till at this time they gave him a whole Share, having improved, and believes he had 40 *l.* was in *Skyrm*'s Meſs; but ſays, he never enjoy'd himſelf: As to his calling down a Sail, it was becauſe whoever ſaw one firſt, the Company allow'd a pair of Piſtols to; and concluded, that if *Child* the Surgeon of the *Mercy* (acquitted) had been here, that he believes he would have witneſſed his being forced. *Guilty.*

William Davies.

John Wingfield ſays, that he was reported on board the Pyrate-ſhip, (where he had the Misfortune to be a Priſoner,) that this was a Volunteer with them, and knows he was but ill character'd, even among the worſt of them.

William Allen, who was living at *Sieraleon* when this Priſoner belonged to and came in there in the *Ann* Gally, Captain *Thompſon*, that on a Quarrel with the ſecond Mate of her, he beat him on Shore, and was for that Reaſon afraid to return on board again; ſo conſorted with the Negroes, who gave him a Woman, which he ſoon ſold; and her Friends making Application to Mr. *Plunket* Governour for the *African* Company there, in whoſe Service he had enter'd; he told them, they might take his Head off if they would, and deliver'd him to the Negroes, who afterwards ſold him to Seigneur *Joſſee* a black Chriſtian living there, who requir'd a Year's Service of him for the Money he had paid the Negroes; but before the time was compleated, *Roberts* the Pyrate came in there; and as Seigneur *Joſſee* told him, the Priſoner went a Volunteer on board; and he believes it the more becauſe, ſince at *Cape Mount*, he met with two Pyrates that had left *Roberts*, and they told him, the Priſoner was looked on ſo good for nothing a Fellow, that they deſigned to diſcharge him the firſt Ship they took, and believes it muſt be his own Fault that he was not.

Harry Glasby knows he was taken out of a Boat at *Sieraleon*; that *Roberts* had declared to Mr. *Glynn* living there, and to others, he would not force any body; accordingly his Conſort went away; and the Priſoner ſaying, is an Argument to him he was volunteer.

He ſays for himſelf, he was coming in a Boat into *Sieraleon* River, with Teeth from to Windward; that *Roberts* the Pyrate lying there, ſent his Boat after him, and brought him to, after firing two Swivel Guns; after this, the Pyrates ſent him in their Yaul up the River to make Diſcovery, as being acquainted. *Guilty.*

And then the Court Adjourned 'till to morrow Morning Nine a Clock.

By Command of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corso Caſtle *on the Coaſt of* Africa, Saturday April *the* 14*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw*.

THE Court being ſet, called for the following Priſoners.

William Watts.

Harry Glasby ſwears, that when the Pyrate-ſhip came into *Sieraleon*, the Priſoner came off with a Letter from Mr. *Glynn* a Trader, and never return'd with an Anſwer; that Mr. *Glynn* asking *Roberts* on Shore, why he detain'd his Man? anſwer'd, that he would force no body, the Man was at his Liberty: He after this went on Shore with ſome Shirts of the Deponent's to waſh, and returned again, which ſhows, he thinks, that he remain'd there without Force.

William Allan living then at *Sieraleon*, ſays, the Priſoner was hired to Mr. *Glynn* at 15 *l.* a Year; and being ſent a trading with one *Brown*, in a Boat of Mr. *Glynn*'s, the Boat in the River they were in grounded, and the Goods ſpoiling by the Water overflowing her; that this *Brown* ſending Mr. *Glynn* Word, the Damage he ſuſtain'd was thro' the Priſoner's Fault, *Glynn* beat, or at leaſt threaten'd him very much that he ſhould make Reſtitution: But *Roberts* coming into *Sieraleon*, the Priſoner, as Mr. *Glynn* told him, enter'd, he afterwards heard, at *Cape Mount*, from one *Sholy* a Pyrate that had deſerted; that this Priſoner being asked to run away with him? he anſwer'd, No, *Glynn* would meet with him again.

He ſays, he parted from one Mr. *Maſterton* Maſter of the *Camwood* Sloop, on Account of his Severity, and other ill Actions, and was hired into Mr. *Glynn*'s Service at *Sieraleon*; to which Place being returning with ſome Slaves they had purchaſed, *Roberts* took the Boat, and brought him on board; that he had been ſick, and not fit to be at any Quarters in the Action, yet was on the Fore-caſtle. *Guilty.*

Hugh Harris.

Harry Glasby and *Michael Lemmon* both ſwear, that he was always look'd upon a fooliſh, crazy, drunken Fellow, but was in his turn on board of Prizes, particularly that he was one of the Pyrate hands that brought the *French* Ship out of *Whydah* Road; and ſaw him in the Action trimming the Sails.

He ſays, he was taken out of the *Willing Mind* at *New-found-land* twenty Months ago; has two or three times attempted an Eſcape in the *Weſt-Indies*, but can produce no body that knows of it; owns he was one that carried the *French* Ship out of the *Whydah* Road, but ſays it was by Order; ſigned

and

and ſhared, and was on the Fore-caſtle to trim the Ship in time of making ſail; he ſays alſo, that he was ſo ill looked on, that they gave him ſometimes a quarter, half, and then a whole Share; and concludes with having no more at preſent. *Guilty.*

The Excuſe he mentioned of being ill looked on by them, ſerved only to aggravate his Crime with the Court; for a Man of his ſtanding, muſt have very ſtrong Inclinations to be a Rogue, to overcome the Diſreſpect and Contempt of being cut out of a half, and ſometimes a third part of his Share, without Reſentment, that is, trying to get away.

Thomas Gerrat.

David Holliday ſwears, the Priſoner was coming a Corporal to *Cabo Corſo Caſtle* in the *Onſlow*, where he alſo was a Paſſenger; that when the Pyrates took the ſaid Ship from them at *Seſtos*, this Priſoner was on Shore, and ſtript by the Negroes; after three Days he came on board the Pyrates, whom he preſently ſaw were forcing Drink upon him, as afterwards they would ſome Cloaths; but he reply'd, they were not of his Coſt, and refuſed, 'till they ſwore he ſhould, and then he took up a Shirt and Drawers. When the Pyrates exchanged their Ship for the *Onſlow*, the Priſoner was on the laſt Day fetched out of the *Old Fortune* by the Quarter-maſter, who ſwore he ſhould go, and pull'd him by the Hand, he crying very much.

Archibald Ker a Paſſenger in the *Onſlow*, alſo ſwears, he ſaw him go over the Side without any Reluctancy; yet heard the Quarter-maſter ſay he muſt go, and believes he came purpoſely for him.

Harry Glasby ſays, he heard one *Richard Aſhly*, a Pyrate ſince dead, ask *Roberts* leave to bring this Man on board, ſaying, it was a pity he ſhould go (being a ſtrong, well made Man) to *Cabo Corſo* to be ſtarved; cannot ſay he was on board of Prizes but in his turn.

Thomas Eddy a Paſſenger in the *Onſlow*, was on board the *Old Fortune* when the Priſoner was fetch'd away, and ſaw him cruelly beat to make him go; that he called on him and others to be Witneſſes of it, and opening his Cheſt, gave what things he had to his Comrade, ſaying, he would carry nothing with him.

He ſays, he was only on board of one Prize at *Whydah*, and that only to walk about with the others; when indeed they would have cut him out of his Share, he made Words of it like a Soldier, and asked, what the Devil they took him for, if he was not allowed a Share? Has been fourteen Years a Soldier abroad in *Spain*, without any Miſdemeanor charged to him; and his wild Oats not being ſown, he ſays, he came in the Company's Service a Corporal, and met by ill chance at *Seſtos* theſe Pyrates, who forced him along with them. *Acquitted.*

John Francois.

Harry Glasby and *Robert Lilburn* ſwear, the Priſoner was the Boatſwain of the Pyrate-ſhip's Boy, and that he employed him chiefly as Yeoman of his Stores, to hand up things as he called for them; that he was never allowed to go on board of Prizes, or had any Share among them, being under Age.

He ſays, he is about ſeventeen Years old, taken out of a Sloop by theſe Pyrates at St. *Nicholas*, one of the *Cape Verd* Iſlands, twenty three Months ago, from which time he has been kept in Servitude at the Pleaſure of theſe Pyrates he was with, and not ſuffer'd to go on Shore. *Acquitted.*

Peter L' Fever.

Harry Glasby knows him to have been forced out of the *Jeremiah* and *Ann*, and was with them a quiet but diſcontented Man.

Benjamin

Benjamin Parr ſwears, the Priſoner was one of the Pyrates that came on board Captain *Kanning* when taken, the Ship himſelf belonged to, ſaw the Priſoner have ſome Cloaths ſhared to him by the Quarter-maſter, which he preſently returned to Captain *Kanning*'s Mate again.

Robert Lilburn knows him to have been forced out of the *Jeremiah* and *Ann*, the Ship himſelf came out of *England* in, for being one of the Boat's Crew to row their Captain on board the Pyrate-ſhip, he was detain'd, and other their own hands put in the Boat: Afterwards being called aſt, and by *Roberts* asked who were Saiiors? the Priſoner anſwer'd, he was not; hoping by that, he thinks, to have got his Clearance: But, ſays *Roberts*, what are you then? I want a Cook's Mate, and you ſhall go.

George Smithſon knows him to be a Man that had a mind to make his Eſcape, for that himſelf, the Priſoner, and about twelve or fourteen more, had privately contracted together to run away with the *Little Ranger*, and quit that Courſe of Life, this the very laſt time they were at *Calabar*.

He ſays, he was never on board of any Prize but Captain *Kanning*, as had been depoſed, being uneaſy at his way of living; ſerved all the late War in the King's Service, which he hopes with the Affidavit from his Captain now ſhewn of his being forced, would interpret ſomething in his Favour. *Acquitted.*

Thomas Withſtandyenot.

Harry Glasby ſwears, he was taken out of the *Norman* Gally by the Quarter-maſter of the Pyrate-ſhip againſt his Will, ſending another in his room; and being asked, whether they in the *Fortune* were miſtruſtful of the *Ranger's* deſerting them? anſwer'd, Yes, very much afraid of it; and was one great Reaſon of their ſending twenty Men from the *Fortune* on board of her that Morning ſhe went out and catch'd the *Swallow*; and when ſhe was abſent longer than they expected on that Service, imagin'd their Suggeſtion came to paſs, and that ſhe was gone away.

George Smithſon ſwears, that this Priſoner, with twelve more, had been in Conſult together at *Calabar*, of the beſt means to run away with the *Little Ranger* to which they belonged, and that this Man and others of elder ſtanding amongſt the Pyrates, firſt broke the tye, in diſcovering their Intentions to him and others, Tyro's in the Trade, which they dared not to have done firſt, for fear of ſome heavy Puniſhment, if not Death, ſhould ſuch their Deſign have been diſcover'd.

William Church (acquitted) ſays, he was moſtly ſick while he knew him, civil, yet in *Skyrm*'s Meſs, and called *Bright Tom*, from a fooliſh and ill applied uſe he made of that Word.

Thomas Stretton, much the ſame with *Smithſon*.

He confeſſes, he had been eight Months among theſe Pyrates, taken out of Captain *Norman* of *Cape Verd*; and in the Action was wounded by the Powder that blew up in the Steerage; which, as he ſays, was ſet on fire by a Piſtol by one *Morrice*, ſince dead. *Marſhalſea.*

Thomas Wills.

Harry Glasby ſwears, that this Priſoner was one of them, who with himſelf, had with ſuch hazard of their Lives endeavour'd at an Eſcape at *Carvacoo* and *Hiſpaniola*; that ſince at *Seſtos* on this Coaſt, the Priſoner and himſelf had concerted Meaſures for it, and the Priſoner, who belonged to the *Ranger*, was to make the old Standers drunk, and be reſerved themſelves 'till the Deponent ſhould come to him from the *Fortune*; and when *Glasby* was going, both *Roberts* and the Quarter-maſter having conceived a Jealouſy, put it to the Vote of the Company, and *Glasby* was ſtopt, and ſo the Project miſcarried; afterwards at *Calabar*, *Anna-Bona*, and *Cape Lopez*, he retain'd the

ſame Sentiments and Reſolutions, and was for contriving ſome means of Eſcape, nor was he looked on as a truſty Man among them, yet went on board of Prizes as others.

Robert Lilburn ſays, that at *Cape Lopez* this Priſoner was intended with him to have made his Eſcape on a Pretence of Buffiloe hunting, never heard him ſwear, never given to drink, and called Presbyterian for his ſoberiety.

George Smithſon, that the Priſoner ſpoke to him at *Calabar*, about running away with the Ship; and verily he believes, was no Pyrate in his Heart, nor as he ever ſaw in his Actions; never ſwearing or drinking; but on the contrary, reading commonly of good Books, and ſorry when ever they ſaw Sails, or had a Proſpect of getting Prizes or doing Miſchief.

He ſays for himſelf, that being forced *July* was 12 Months, from the *Richard* of *Biddiford*, *Jonathan Whitefield* Maſter, whereof he was Boatſwain; he had at all Places attempted an Eſcape in Vain; had been he ſays, only on Board a *French*, and *Dutch* Ship, without doing them any harm.

The Court thought it a pitty ſo godly a Man, ſhould have been ſo long in ſuch ill Company; the Time had only made them miſtruſt the truth, of what himſelf and the Evidence had aſſerted; however, that, with an Affidavit on the Table from *Jonathan Whitefield* the Maſter he belonged to, of his being forced, weighed with them, and they thought proper to *Acquit him.*

Roger Pye.

George Smith ſweats, the Priſoner was forced from the ſame Ship with himſelf, the Quarter-Maſter beating of him; that he was alſo one of thoſe accompliced at *Callabar*, for running away with the Ship *Ranger.*

Benjamin Parr, who was taken by the Pyrates the ſame Day the Priſoner was, ſays he was forced out, making an Excuſe, (that he hoped wou'd have taken with them,) of being newly married, and his Wife with Child.

Thomas Howard, ſays, that he was on Board the Pyrates before him; but knows very well of his willingneſs to run away, for he had perſwaded the Deponent to obtain leave to be on Board the *Ranger* for the ſame purpoſe, ſaying, he was ſorry to ſee him there, and that if he got once with them in the *Ranger*, they wou'd not miſcarry in their Enterprize, either with the Ship, or Boat.

He was taken out of *John Tarlton* of *Liverpool*, *Auguſt* laſt, and had taken every favourable Opportunity for his Eſcape, without effecting it, was on the Fore-Caſtle all the Time of the Action. *Acquitted.*

James Phillips.

Harry Glasby ſwears, the Priſoner was with the Pyrates before his coming, and therefore knows nothing, either of his being forced or not; but had heard he was a Volunteer, and he uſed to ſay, they took him with a little Sugar'd Burgoo, and had been on Board Prizes. After the *Fortune* had ſtruck, this Priſoner had a Match in his Hand going to blow her up, which he hearing of, went down and prevented.

Stephen Thomas ſwears, that after the Action with the *Swallow*, and that the *Fortune* had ſtruck her Pyratical Colours, and her Maſt down, this Priſoner was down with a lighted Match to blow the Ship up, ſwearing very prophanely, let's all go to H—ll together, and threw the Deponent againſt the Ladder, wounding his Hand, as they were ſtruggling about the Match, till *Glasby* came to his Aſſiſtance. He was ever morofe and drunk, carrying his Piſtols ſometimes about him, and threaten'd new Comers, if they offered to ſpeak.

Robert Hartly ſays, when he has only been wiſhing himſelf at home in this Priſoners hearing, he has threatened to blow his Brains out, and when at burning

ing the Sloop, he has asked him the Reaſon of ſuch wicked Practices? he anſwer'd, it was for fun.

The Priſoner ſays, he was taken by the *French Revenge* Sloop in the *Weſt-Indies*, and carried to *Dominico*, from whence he came off in a Boat, expecting the Pyrate had been a Trader, and was deceived, and detained; quarter'd on Quarter-Deck, but on the Fore-caſtle to turn her when engaged. *Guilty.*

John Griffin.

Harry Glasby ſwears, that it was the talk among them, that all the *Mercy's* Men (to which Ship the Priſoner was Carpenter) were all forced; that he was made Carpenter's Mate of the *Fortune*, and that he, as was the Cuſtom among them, went on board Prizes to fetch Carpenter's Stores on board.

George Fenn Mate of the *King Solomon*, ſwears, the Priſoner came on board their Ship in the Pyrates Boat for Carpenter's Stores, and was going to beat their Carpenter becauſe he brought up but one Bucket of Roſin, ſwearing alſo at the Deponent, that if he did not find more, he would cut his Ears off, and had done Miſchief he believes, but one *Darling*, another Pyrate, pacified him: He demanded alſo their Plank and Wainſcot, but was drunk, and thinks it did not go away.

John Stodgill ſaw him alſo on board the *King Solomon*, to which he belonged, and heard him bid the Carpenter's Mate fetch his beſt Ads up, or if he did not, or he found him in a lye, it ſhould be worſe for him; thinks alſo it was he order'd ſome Deals up, which he ſaw go over the ſide.

Robert Lilburn alſo ſays, he was on board the *King Solomon* for the Carpenter's Stores, and took what he thought fit away, was drunk indeed, and threaten'd to beat the Carpenter, but never ſaw him in any other Prize.

He ſays, he was forced out of the *Mercy* Gally laſt *October* at *Calabar*, to which he was Carpenter; when he came on board the Pyrate-ſhip, he was Carpenter's Mate, and accordingly placed in the Well at time of Action; ſays, he was never in any Ship but the *King Solomon*; was very drunk, and knows nothing of any Stores being brought out of her. *Guilty.*

Robert Hartley. (2d.)

George Smithſon belonging to the *Tarlton*, out of which Ship the Priſoner was taken, ſays, that being cover'd under his Bed to hide himſelf from the Pyrates, heard the Priſoner called by Name to go along with them, but knows of no Force, as he had ſeen uſed to others of the ſame Ship; nor can he ſay he ſaw him any thing diſſatisfied after it, at leaſt did not communicate it to him, tho' others his Ship-mates had, and concerted to run away.

Harry Glasby knows he wanted to go back on board Captain *Tarlton* for his Cloaths, and the Quarter-maſter would not let him; he cannot tell whether he went into the *French Ranger* the Day ſhe went out from *Cape Lopez*, but ſays there were twenty Men went out of the *Fortune* into her, and that they all were Volunteers in that Service.

He confeſſes he was one of the twenty that went out that Morning ſhe went out, and received a Musket-ſhot thro' the muſcular part of the *Abdomen* in the Action with the *Swallow*, but ſays it was not Eagerneſs of a *Portugueze* Prize, as they ſuppoſed her to be, that induced him to a readineſs of going, but to ſee his Ship-mates and Friends that were moſt of them on board of that Ship; he likewiſe confeſſes he was on board a *Dutch* Ship at *Gabone*, *Guilty.*

James Crane.

Benjamin Parr ſays, he was taken out of the ſame Ship he belonged to, the *Robinſon*, Captain *Kanning*, *July* laſt, being detain'd with the others of their

their Boat's Crew that rowed their Captain on board at *Chriſtmas* laſt, he thus communicated himſelf to the Deponent, that if there was any poſſible way to make an Eſcape, he was ready to it, and verily believes he meant as he ſaid, deſiring him if he ſhould come to know of ſuch Opportunity, that he would acquaint him of it.

George Smithſon knows nothing of his firſt being forced, but believes it to be true, becauſe he at ſeveral times expreſſed his Mind to him how glad he ſhould be to make his Eſcape.

Robert Hartley, (acquitted) out of the ſame Ship with the Priſoner, believes he was forced.

He ſays, he was three Months of the five he was on board the Pyrate-ſhip ſick; at ſeeing the Man of War he was frighten'd, and was on the Fore-caſtle, or on Deck, juſt as Fear governed his Heels; owns he was on board the *Mercy* at *Calabar*. *Marſhalſea.*

And then the Court order'd a Warrant to be drawn out for the Execution of *William Williams*, (2d,) *Joſeph Mansfield*, *John Stevenſon*, *Robert Birtſon*, *Richard Harris*, *Charles Bunce*, *Peter Laſhly*, and *Joſeph Noſſiter*, on *Monday* the 16th of *April*, 1722.

And then the Court Adjourn'd till to Morrow Morning Nine a-Clock.

By Command of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle *on the Coaſt of* Africa, Monday April *the* 16*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw.*

THE Court being ſet, called for the following Perſons.

David Littlejohn:

Harry Glasby ſays, the Priſoner was forced out of a Snow by the Quarter-maſter, who beat him, and brought him away a Day or two before the Snow was diſcharged; was melancholy for a Day or two; had a ſore Leg, which unfitted him for the preſent Service, but afterwards did as the reſt.

George Smithſon ſwears, that in the Action this Priſoner had two pair of Piſtols on, but did not ſee him fire: He was not one with whom the Deponent converſed, but believes if ſuch a Deſign had been communicated about their running away, as had been with others, he would have come into it.

John

John Stodgill, ſays the Priſoner came out of the little *Ranger* into the *French* Ship the Pyrates took out of *Whydah*, and was one of them that carried her out; that he had alſo Piſtols on in the Action.

John Wingfield, ſaw him a forward brisk Hand at cleaning and rigging the Pyrates Ship, when ſhe was at *Calabar* a long ſide the Brigantine; he was taken in, and ſeemed to be a truſty Man among them.

Thomas Howard (acquitted) alſo ſays, he was a brisk Hand (that is, a brisk Pyrate) at going into *Whydah*, he ſaw him with two Piſtols, and in the Action with the *Swallow*, commanded the Main-top, where the Deponent was alſo quartered.

He ſays he was taken out of the *Phenix-Snow* of *Briſtol* 20 Months ago, was on Board a *French* Ship they took at *Seſtos*, and another they brought out at *Whydah*, but not till after ſhe was under Sail; in the Action was quarter'd in the Pyrates Top. What will plead in his Favour he hopes, is his ſpeaking to *Roberts* to carry ſome *French* Men with them to bring back the little *Ranger*, which they deſigned to exchange for the other: Alſo that he took on him to ſtrike the Pyrates Enſign, at the hazard of his Life; *Main* the Boatſwain, and *Petty* coming aft to ſhoot him, but for *Le Fever*, who pacified them; that the ſame two went down, threatning to blow up the Ship, and had if there had been Powder enough, firing what there was in the Steerage; quartered in the Top, he ſays, becauſe he was an old Stander.

The Court thought theſe Things look'd like a Man of Intereſt among them, and found him *Guilty*.

Roger Gorſuch.

George Smithſon knows him very well; the Priſoner was never on Board of any Prize, and has heard him ſay, he would not go even in his Turn; beſide, he had alſo acquainted him, and others of his willingneſs to make his Eſcape.

John Wattſon (acquitted) who was taken out of the ſame Ship the Priſoner belonged to, ſwears he was forced; the Pyrates in his hearing, ſaying, they wanted a Cooper (which he was) and wou'd have him, and keep him, being ſolitary after it.

Thomas Stretton uſed to ſee him godly, and reading while in the Pyrate Ship, and not inclined to Miſchief, and believes in the Action he kept out of the Way. *Acquitted.*

John Jeſſup.

Harry Glasby ſwears, he was taken out of one of the *African* Company's trading Boats, the laſt time they came down the Coaſt, which Boat was ſunk, and tho' others not of that Boat, were put on Board Ships to proceed on, he remained there. He alſo ſwears, that all thoſe that went into the Boat to burn the *Whydah* Sloop, afterwards were Volunteers.

Stephen Thomas, Maſter of the Boat the Priſoner was taken in, ſays he preſently got drunk with the Pyrates, and ſo continued always, ſaying, and ſwearing it was better living among the Pyrates, than at *Cabo Corſo* Caſtle.

Hugh Kidley (acquitted) ſwears the Priſoner was a drunken Fellow, and in particular, that he went in the Pyrates Boat, which took, and afterwards burn'd the *Whydah* Sloop.

He ſays, he was firſt taken in the *Onſlow* by theſe Pyrates, and had then ſhown his unwillingneſs to go with them, that the Boat being ſunk, he was thus a ſecond Time obliged to be with them, being at Maſt-head, and called down to go on Board; when they were ſcutling the Boat, he was in the Boat that burn'd the *Whydah* Sloop, and makes a frivolous excuſe about it. In the Action quarter'd on the Main-Deck. *Guilty.*

Benjamin Jeffrys

Harry Glasby ſwears he was forced out of the *Norman* Gally of Cape *Verd*, about 7 or 8 Months before taken by the Man of War, that he had 6

Laſhes of every Man next Day, but knows not why; after which he ſicken'd, and continu'd ſo three or four Months; and on his Recovery, was voted Boatſwain's Mate. He came off at *Sieraleon* when the Pyrate-ſhip was under Sail, there being three or four of the old Standers on ſhore that they were afraid of, or elſe believes he had left them.

John Wingfield remembers the Priſoner on board of Captain *Loan* at *Calabar*, fitting up the Pyrate-ſhip's ſails; and alſo on board the Brigantine they took from him, being one that had poſſeſſion of her for the Pyrates, and ſhared the plunder.

Robert Lilburn had heard it ſaid among the Pyrates, that they would not keep the *Norman*'s Men; that when the Ship was diſcharged, he believes the Priſoner was drunk, or elſe might have returned to his own Ship; for next Day this Company whipt him, becauſe in his Liquor he had been ſo ſaucy as to ſay there was never a Man among them; he ſaid alſo, the Men that were in the *Norman*'s Boat a going away, were drubb'd out, but knows not whether the Priſoner was one; was on board of Prizes in his turn.

The Priſoner ſays, he was forced among them; that to make him Boatſwain's Mate, was to make him a Slave, and ſhould willingly have laid it down, if he might have been permitted; was quarter'd in the Action to the *Fortune*'s Rigging; and ſays, that the Whipping he had, was for telling theſe Pyrates, that none who could get their Bread in an honeſt way would be on ſuch an Account.

But the Court thinking this Whipping ſhould have enraged him, and put him more in leaving them, which he not doing, found him *Guilty*.

John Coleman.

Harry Glasby ſays, that when *Roberts* was cleaning at *Hiſpaniola*, two Sloops came in commanded by one *Porter* and one *Tuckerman*, to the latter of which the Priſoner belonged; that theſe Maſters came on board of *Roberts*, and told him, that hearing he was there, they came in to receive his Charity, being on the ſame account with themſelves, but in want of every thing; at laſt *Roberts* gave them, by Agreement among themſelves, eight or nine Negroes a-piece, and received the Priſoner and ſome others in lieu.

Robert Lilburn has ſeen him go on board of Prizes in his turn, and bring Plunder back, yet was not much accounted of among them, but was a Fellow upon Charity.

The Priſoner ſays, he was taken in the *Adventure* Sloop, Captain *Tuckerman*, about ten Months ago by *Roberts* at *Hiſpaniola*, *John Cock* (ſince dead) being the Man that forced him out, ſaying, he ſhould not go home to *Philadelphia* to tell Tales; the Sloop he believes was not paid for, nor does he know the Deſign of his Maſter; while in her, he was on board two or three Prizes, and if he muſt be hanged for it, G——d's Will be done, 'twas not of his ſeeking. *Guilty.*

Iſaac Ruſſel.

Harry Glasby ſwears, he was forced out of the *Lloyd* Gally, Captain *Hyngſton*, *March* was twelve Months; was once made Boatſwain's Mate of the Pyrate, but feigned a Sickneſs to get off from it, often telling the Deponent it was a wicked Life they all led, yet went on board of Prizes in his turn.

Robert Lilburn ſays, he was on board the Pink brought into *Cape Lopez* the Night before they were taken, and he believes alſo in the *Dutch* Ship at *Gabone*; knows him to have declined being Boatſwain's Mate, which they all voted him to.

The Priſoner ſays, he was quarter'd at ſmall Arms, but never fired any, only bracing at the Yards to make Sail; why he did not make his Eſcape at *Sieraleon*, was his being a Stranger, and never on the Coaſt before, which made

made him afraid of the Negroes; confeſſes he was on board two *French* Ships, and the Pink at *Cape Lopez*, which, latter he ſays innocently was out of his turn, he going for another Man that was ſick; and as fooliſhly of his Endeavours to get away, for he ſays it was ſo dangerous to truſt any body, that what he had to ſay of that matter, he always ſpoke publickly. He hoped in the end of his Defence, that they would regard his being one of thoſe Men in the Sloop that reſolutely attacked and took *Blackbeard* the Pyrate. This, with his Captain's Affidavit of his being forced, inclined the Court to ſend him to *Marſhalſea*.

Hercules Hunkins.

Harry Glasby ſays, he was forced out of the *Succeſs* Sloop with the Mate his Brother-in-law, the Quarter-maſter threatning to beat him; he was placed among the Carpenters, and reckoned a ſoft, ſilly Fellow.

Thomas Stretton and *George Smithſon*, that he was ſober in Carriage, and had often talked to him of means to eſcape.

He ſays, he was forced ſixteen Months ago in the *Succeſs* Sloop bound from *Barbadoes* to *England*, helped the Carpenter *Stretton*, quarter'd in the Hold, but was upon Deck in the Action. *Marſhalſea.*

Robert Fletcher.

George Smithſon ſays, the Priſoner was taken out of the ſame Ship he belonged to.

John Tarlton, that he was ſure he was forced, and had often talked to the Deponent about means to accompliſh an Eſcape; ignorant, and ſo could not be truſted with the Affair of running away with the Ship.

He ſays alſo, he and *Gorſuch* (acquitted) had ſpoke to a Canoe to come for 'em at *Anna-Bona*, and he never did; was on board a *Dutch* Ship at *Gabone*; and took what the Quarter-maſter gave him. *Marſhalſea.*

And then the Court Adjourned 'till to morrow Morning Nine a Clock.

By Command of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle *on the Coaſt of* Africa, Tueſday April *the* 17*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw.*

THE Court being ſet, called for the following Priſoners.

Henry Graves.

George Smithſon and *Roger Pye* ſays, he belonged to *John Tarlton*, the ſame Ship they did when taken by the Pyrates; and that he ſaw *David Simpſon* the Quarter-maſter drive him out of the Ship, from which he went crying; afterwards became one of them in conjunction to run away with the *Ranger*; his

his Years would not ſuffer him to be other than brisk in Sailor's Buſineſs, and ſuppoſes he was on board of Prizes in his turn.

John Wingfield believes he was one of the Pyrates that went down in the Boat at *Calabar* to take the *Mercy* Gally. And *Harry Glasby* ſwears, that all who did go in Boats on theſe Occaſions, did go voluntarily, crowding ſometimes as almoſt to ſink a Boat.

He owns he was at taking the Ship *Mercy* with the Pyrates Boat; but in the Action with the *Swallow* was never on Deck, but kept out of the way. *Marſhalſea.*

John Riner.

Harry Glasby ſwears, he does not know him to be one of thoſe twenty that went from the *Fortune* that Morning on board the *Ranger*, to bring in what they thought a *Portugueze*; but if he was one of them, he was a Volunteer, and needed not have gone unleſs he would: As to the Priſoner's Pretence, that he was in the Boat before they were called on that Service, he the Deponent ſays, he ſaw no body in her, and that it was their Cuſtom to put a Negro in, when they wanted the Boat to be fended off, or the Water thrown out.

George Smithſon (acquitted) belonging to the *Ranger*, ſays, this Priſoner came on board of them the ſame Morning they went out of *Cape Lopez*; he alſo heard him called by the Pyrates out of the *Tarlton* the Ship he belonged to, by Name, but ſaw no Force uſed.

John Stodgill ſays, the Priſoner came on board the *Ranger* the Morning ſhe came out of *Cape Lopez*, and met with the *Swallow*.

John Watſon and *Benjamin Parr* do both ſay, he was one of thoſe who with themſelves were for running away at *Calabar*, and had propoſed doing it in a Boat, but were diſappointed by the good Look-out the Pyrates kept.

He pretends he was in the Boat going to ſee his Ship-mates in the *Ranger* before the *Swallow* appeared in ſight; has been on board only one *Portugueze*, tho' it had been twice his turn; at firſt was forced, being kept after they had rowed their Captain on board. *Marſhalſea.*

Robert Armſtrong.

Harry Glasby ſays, the Pyrates took him out of the *Semn* Gally, a *Dutch* Ship, off *Axim*: *Roberts* when he had diſcharged the ſaid Prize, told this Priſoner and three other *Engliſhmen* with him, that they might return to their Ship again; but *Bunce* taking his Leave ſo affectionately of *Roberts*, and wiſhing him a good Voyage, he preſently cry'd, thoſe Fellows have a mind to go; and order'd them all to be ſtopt, tho' the Priſoner was over the ſide, in Order to return; he alſo ſays, that when they were running from the *Swallow*, this Priſoner told them the beſt of the *Swallow*'s ſailing was on a Wind; and adviſed them to go away large, which they did.

Robert Lilburn ſays the ſame thing, but with this Alleviation, that *David Simpſon*, Quarter-maſter, came down between Decks to the Priſoner, and enquired before he told them any thing of the *Swallow*'s ſailing.

He ſays for himſelf, he has been only five Months with them, and that time only becauſe he had no Opportunity to get away: But being asked, whether there was any more danger to run away among the Negroes from the Pyrate-ſhip, than there was to do it from the *Swallow*? he having deſerted her from *Cape Three Points* with three more; anſwer'd, no; that as to his Deſertion, it was Drink, and over perſwaſion of the reſt engaged him to it.

He confeſſes he has been on board only of one *Portugueze* Sloop ſince his being with the Pyrates, and that by Order of the Quarter-maſter; quarter'd in the Gun-room, but ſick; nor never divulged his Mind to any body about getting away, for fear of Diſcovery. *Guilty.*

George

George Ogle.

Harry Glasby ſays, the Priſoner was a quiet Fellow, not ſwearing or curſing like moſt of them, and rather melancholy, whether at his Company or not, he cannot tell.

Benjamin Parr (acquitted) knows, that when he rowed Captain *Gee* on board the Pyrate-ſhip, the Quarter-maſter call'd him out of the Boat ſeveral times, which he not obeying preſently, beat him ſeverely for it in his ſight.

Thomas Gerrat (acquitted) ſays the ſame, that when the Priſoner came on board the Pyrate-ſhip with Captain *Gee*, they detain'd him, and forced them from the ſide, when he ſtood ready, and was ſtepping into his Boat again.

He ſays, he was taken in the *Onſlow*, and was quarter'd to the Braces in the Action with the *Swallow*, but went forward to ſet the Sails; owns he was on board the *Mercy* Gally at *Calabar*, but it was after ſhe came up the River. *Marſhalſea.*

James Coſins.

George Smithſon and *John Stodgill* belonging to the *Ranger* when taken with the Priſoner, know nothing of his being forced, nor can give any Account of his being forced in that Ship. *Marſhalſea.*

Robert Hays.

Edward Evans (acquitted) ſwears, he was quarter'd in the *Fortune* to the ſame Gun the Priſoner was in the Action againſt the *Swallow*, and poſitively affirms the Priſoner put Match to and fired one Gun.

Benjamin Parr (acquitted) ſays, he was one of the five deſign'd at *Anna-Bona* to make their Eſcape, but were fruſtrated.

He ſays himſelf, that he put the Match to the Gun, but that it did not go off; was taken in *John Tarlton* about five Months ago. *Guilty.*

The Court after this called for *George Wilſon* again; who on his earneſt Requeſt, had the final Determination of his Cauſe deferr'd for ſome Evidence which he waited for; the firſt he called for was,

William Darling (acquitted) who ſwears, that when the *Elizabeth* was taken, *Roberts* the Commander of their Pyrate-ſhip, order'd *Wilſon* on board in the firſt Boat: As to his firſt being with them out of *John Tarlton*, thus much he knows, that *Roberts* took him for the Captain ſome time, and when he was undeceived, preſently ſwore he ſhould be his Meſs-mate; to which the Priſoner reply'd, he had a Wife and Child, and hoped they would not take him; and he reply'd, yes: That he had not been above two Days before he went in the Boat, with one *Engliſh*, and five or ſix *French Men*, to bring Brandy on board the Pyrate-ſhip, and was by hard Gales drove on ſhore at *Cape Mountzerado.*

Samuel Morwell (acquitted) ſwears, that being one Evening with a Country-man (one *Nicholas Thomas*) who lay ſick in the Pyrate-ſhip, to lend him his help, this Doctor *Wilſon* was bemoaning himſelf to the ſaid *Thomas*, and deſiring his Intereſt with *Roberts* to diſcharge him, telling him, he had a Fortune ſufficient to exempt him from ſeeking his Bread on the Sea, which he deſigned to leave off; and was ſorry, for this Accident prevented his enjoying it.

Nicholas Butler taken in a *French* Ship at *Whydah* by the Pyrates, and was forty eight hours Priſoner on board of them, ſwears, he ſeveral times addreſs'd himſelf in that ſpace to him in *French*, and with tears bemoaned his being in ſuch Company.

The Priſoner alſo added to what he ſaid formerly, that raſh and inadvertent Words might ſlip from him perhaps to the prejudice of thoſe who had

charged ſuch againſt him; but proteſts he did it with no evil Intention, and has often on Recollection blamed himſelf for it; but being only Words, he hopes they will find a favourable Conſtruction, particularly about *Comrie* who has ſworn againſt him, he perſwaded to ſign the Pyrates Articles, *&c.* for he held a ſelf-intereſted View in that, expecting, as he had been promiſed, a Diſcharge at *Whydah*, the Pyrates might revoke again, if ſuch a Man as *Comrie* did not remain there to ſupply his room; and tho' highly culpable in any other place or occaſion, could not (he preſumes) be thought ſo here. Finally, he confides in God's and the Court's Mercy, who he hop'd would have Compaſſion on his Years; a raſh, and immature Judgment had hurried him, he ſaid, into the Extravagancies he had been charged with. *Guilty.*

But referr'd to the King's Pleaſure, becauſe Captain *Ogle* had declared he diſcovered firſt the Pyrates riſing.

Then the Court Adjourned 'till to morrow Morning nine a-Clock.

By Command of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle *on the Coaſt of* Africa, Wedneſday April *the* 18*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw.*

THE Court being ſet, proceeded to ſentence the following Priſoners.

Edward Watts, John Mitchell, William Shuren, Joſhuah Lee, Thomas Giles, William Davies, William Watts, Hugh Harris, James Phillips, John Griffin, Robert Hartley (2d.) *David Littlejohn, John Jeſſop, Benjamin Jeffrys, John Coleman, Robert Armſtrong, Robert Hays, Roger Scot, David Rice, Henry Dennis, John Lane, James Cromby, Thomas Ouchterlauny, George Wilſon*, and *Thomas Owen.*

YE and each of you are adjudged and ſentenced to be carried back to the Place from whence you came, from thence to the Place of Execution, and there within the Flood-marks to be hanged by the Neck 'till ye are *Dead, Dead, Dead.* And the Lord have Mercy upon your Souls.

After

After this, You *William Watts*, *William Davies*, *James Phillips*, *Edward Watts*, and *John Coleman*, are to be taken down, and your Bodies hung in Chains.

Signed,

Mungo Herdman,
James Phipps,
Henry Dodſon,
Francis Boye,
William Menzies,
John Barnſley,
Charles Fanſhaw.

Dated at *Cabo Corſo Caſtle*,
the 18th of *April*, 1722.

Then the Court Adjourn'd 'till to Morrow Morning at Nine of the Clock.

By Command of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle, *on the Coaſt of* Africa, Thurſday April *the* 19*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw*.

JOHN *Jeſſop*, who on the Information of the Maſter of a *Dutch* Ship, at the Iſland of *Princeſs*, was demanded and ſurrender'd up to Captain *Chaloner Ogle* of his Majeſty's Ship *Swallow*, as an old Pyrate in *Roberts*'s Company, was alſo ſet on Shore here by the ſaid Captain *Chaloner Ogle* for his Tryal.

And at the Information of Mr. *John Wingfield*, the following Indictment preferr'd.

YOU

YOU *John Jeſſop*, in the Name, and by the Authority of our moſt dread Sovereign *GEORGE* King of *Great Britain*, *&c.* do ſtand Indicted of Pyracy and Robbery upon the High Seas.

For that you the ſaid *John Jeſſop* was lately wickedly aſſociated and accompliced with the reſt of that Pyratical Crew, ſailing under *Roberts*'s Command, while he committed thoſe Spoils and Depredations on his Majeſty's good Subjects trading by Sea.

Particularly you *John Jeſſop* did belong to that Company of Pyrates on the firſt Day of *October* laſt, when the *Hannibal* Brigantine belonging to the *Royal African Company* was violently and unlawfully wreſted from *John Wingfield* and others, ſailing in the Company's Service; and then and there did aſſiſt to the robbing of the ſaid Veſſel, and taking from the ſaid *John Wingfield* his wearing Apparel.

To which he pleaded, *Not Guilty.*

John Jeſſop, (2d,) and out of the ſame Ship with *Roberts* three Years ago.

Harry Glasby ſays, he was in the *Fortune* before he was taken very much given to Liquor, and was as forward as others in going on board of Prizes; when they took the *Ranger*, he went there; he never heard him make any Complaints of the way of living he was in; yet run away at *Cape Lopez* about *December* laſt, without robbing, as ever he heard, any of his Conſorts.

Robert Lilburn ſays, he was on board *Roberts* 'till they took the *Ranger* two Months after him, and then put there the moſt ſwearing, reprobate Fellow among them, ſo drunk they cut him often out of his Share, which he believes was the reaſon he ran away.

John Wingfield ſaw him on board the Brigantine at *Calabar*, for ſeveral Days with his Cloaths on; had heard him boaſt how bravely he defended the Sloop the Pyrates were then in againſt *Rogers*, a Sloop that came out of *Barbadoes* to take them, ſaying, at the third cheer they gave a Volley, and a broad-ſide, and then ſcowred away.

The Priſoner ſays, he was taken out of the *Princeſs* at *Annamaboe*, Captain *Plumb* of *London*, three Years ago; the Pyrates at the ſame time taking out *Roberts* their third Mate, who afterwards became Captain of the Pyrate; went part of the way by Land from *Cape Lopez* to *Gabone* with another ſince dead, and there got on board of a *Dutch* Ship, who at the Iſle of *Princeſs* ſurrender'd him to Captain *Ogle* as a Pyrate, tho' it was the firſt Opportunity he had of running away; he has not been on board of a Prize ſince on this Coaſt, only the Brigantine as *Wingfield* depoſes; and as to what has been ſaid about the Cloaths, he ſays, he bought them of *Jeffrys* a Pyrate, who had bought them at the Maſt. *Guilty.*

And proceeded to give Sentence againſt him directly.

Then gave Direction, and accordingly a Warrant was drawn out for the Execution of theſe fourteen Priſoners following.

John Jeſſop (2d,) *Robert Johnſon*, *George Smith*, *Robert Armſtrong*, *Cuthbert Goſs*, *Benjamin Jeffrys*, *William Wood*, *Robert Hays*, *James Phillips*, *John Coleman*, *Edward Watts*, *William Watts*, *William Davies*, and *Thomas Giles.*

And then the Court Adjourn'd till to Morrow Morning Nine a-Clock.

By Command of the Court.

John Atkins, Regiſter.

A Journal *of the Proceedings of the Court of* Admiralty, *held at* Cabo Corſo Caſtle *on the Coaſt of* Africa, April *the* 20*th*, 1722.

Captain *Mungo Herdman*, Preſident.

James Phipps, Eſq;	Mr. *Samuel Hartſeaſe*,
Mr. *Henry Dodſon*,	Captain *William Menzies*,
Mr. *Francis Boye*,	Mr. *John Barnſley*,
Mr. *Edmund Hyde*,	Mr. *Charles Fanſhaw*.

THE Court being ſet, this following Petition came from the following Priſoners, who were under Sentence and Judgment of Death.

To the Honourable the Preſident and Judges of the Court of Admiralty, for trying of Pyrates, ſitting at Cabo Corſo Caſtle, *this* 20*th Day of* April, 1722.

The humble Petition of, *Thomas How*, *Samuel Fletcher*, *John Lane*, *David Little-John*, *John Jeſſup* (2d,) *John King*, *Henry Dennis*, *Hugh Harris*, *William Taylor*, *Thomas Owen*, *John Mitchell*, *Joſhuah Lee*, *William Shuren*, *Robert Hartly* (2d,) *David Rice*, *John Griffin*, *James Cromby*, *James Greenham*, *Roger Scot*, *John Horn*.

Humbly ſheweth,

THAT your Petitioners being unhappily, and unwarily drawn into that wretched and deteſtable Crime of Pyracy, for which they ſtand now juſtly condemned, they moſt humbly pray the Clemency of the Court, in the Mitigation of their Sentence, that they may be permitted to ſerve the Royal *African* Company of *England*, in this Country for ſeven Years, in ſuch Manner as the Court ſhall think proper; that by their juſt Puniſhment, being truly ſenſible of the Error of their former Ways, they will for the future become faithful Subjects, good Servants, and uſeful in their Stations, if it ſhall pleaſe the Almighty to prolong their Lives.

And your Petitioners as in Duty, &c.

Reſolution of the Court was,

THAT the Petitioners have leave by this Court of Admiralty, to interchange Indentures, with the Captain General of the Gold Coaſt, for the Royal *African* Company, for ſeven Years Servitude, at any of the Royal *African* Companies Settlements in *Africa* in ſuch Manner, as he the ſaid Captain General ſhall think proper.

On *Thurſday* the 26th Day of *April*, the Indentures being all drawn out according to the Grant made to the Petitioners, by the Court held on *Friday* the 20th of this Inſtant; each Priſoner was ſent for up, Signed, Sealed, and exchang'd them in the Preſence of

Captain *Mungo Herdman*, Preſidenet,
James Phipps, Eſq;
Mr. *Edward Hyde*,
Mr. *Charles Fanſhaw*.
And Mr. *John Atkins*, Regiſter.

A Copy of the Indenture.

The Indenture of a Perſon condemned to ſerve abroad for Piracy, which upon the humble Petition of the Pyrates therein mentioned, was moſt mercifully granted by his imperial Majeſties Commiſſioners and Judges appointed to hold a Court of Admiralty, for the Tryal of Pyrates at Cabo Corſo Caſtle *in* Africa, *upon Condition of ſerving ſeven Years, and other Conditions are as follows*, viz.

THIS Indenture made the twenty ſixth Day of *April*, *Anno Regni Regis Georgii magnæ Britanniæ*, &c. *Domini*, *Milleſſimo*, *Sepcenteſſimo viginti duo*, Between *Roger Scot*, late of the City of *Briſtol* Mariner, of the one Part, and the Royal *African* Company of *England*, their Captain General and Commander in chief for the time being of the other Part, *Witneſſeth*, that the ſaid *Roger Scot*, doth hereby Covenant, and agree to, and with, the ſaid Royal *African* Company, their Captain General, and Commander in chief for the Time being, to ſerve him, or his lawful Succeſſors, in any of the Royal *African* Companies Settlements on the Coaſt of *Africa*, from the Day of the Date of theſe Preſents, to the full End and Term of ſeven Years, from hence next enſuing fully to be compleat, and ended, there to ſerve in ſuch Employment, as the ſaid Captain General or his Succeſſors ſhall employ him, according to the Cuſtom of the Country in like Kind.

In Conſideration whereof, the ſaid Captain General, and Commander in chief doth Covenant, and agree to and with the ſaid *Roger Scot*, to find and allow him, Meat, Drink, Apparel, and Lodging, according to the Cuſtom of the Country.

In

In Witneſs whereof, the Parties aforeſaid, to theſe Preſents have interchangeably put their Hands and Seals the Day and Year firſt above Written.

Signed, Sealed and Delivered, in the Preſence of us, at *Cabo Corſo Caſtle* in *Africa*, where no ſtamp'd Paper was to be had.

Mungo Herdman, Preſident. } Witneſſes.
John Atkins, Regiſter. }

In like Manner was drawn out, and exchanged the Indentures of

THOmas How	Taylor	of *Barnſtable*, in the County of *Devon*.
Samuel Fletcher	Mariner	of *Eaſt-Smithfield*, *London*.
John Lane	Mariner	of *Lombardſtreet*, *London*.
David Little-John	Mariner	of *Briſtol*.
John King	Mariner	of *Shadwell* Pariſh, *London*.
Harry Dennis	Mariner	of *Bidiford*.
Hugh Harris	Mariner	of *Corſ-Caſtle*, *Devonſhire*.
William Taylor	Mariner	of *Briſtol*.
Thomvs Owen	Mariner	of *Briſtol*.
John Mitchel	Mariner	of *Shadwell*-Pariſh, *London*.
Joſhua Lee	Mariner	of *Leverpool*.
William Shuren	Mariner	of *Wapping*-Pariſh, *London*.
Robert Hartley	Mariner	of *Leverpool*.
John Griffin	Ship Carpenter	of *Black-wall*, *Middleſex*.
James Cromby	Mariner	of *London*, *Wapping*.
James Greenham	Mariner	of *Marſhfield*, *Gloceſterſhire*.
John Horn	Upholſterer	of St. *James*'s-Pariſh, *London*.
John Jeſſop	Mariner	of *Wisbich*, *Cambridgeſhire*.
David Rice	Mariner	of *Briſtol*.

The Court thought proper to allow

	l.	s.	d.
The Regiſter for 26 Days, 30 *s. per Diem*, ——	39	00	00
The Provoſt-Marſhal 26 Days, at 7 *s.* 6 *d. per Diem*, ——	9	15	00

And then the Tryals being over, the Commiſſion cloſed, and the Court broke up.

A LIST OF THE Pyrates Acquitted.

Stephen Thomas
John Stodgill
Jacob Johnſon
William Smith
John Johnſon
Edward Thornden
William May
Philip Haak
Robert Lilburn
Henry Dawſon
William Glaſs
James White
Nicholas Brattle
Harry Glasby
Thomas Roberts
John Richards
John Cane
Thomas Stretton
Edward Evans
Richard Wood
Robert Hartley
George Smithſon
Benjamin Parr
Edward Tarlton
John Arnaught
William Guineys
Joſiah Robinſon

Thomas Clephen
John Davies
Thomas Howard
Adam Comrie
William Graves
William Champnies
Chriſtopher Granger
Thomas Diggles
Thomas Watkins
Michael Lemmon
Hugh Menzies
John Watſon
Thomas Sever
James Morrice
Thomas Davies
Hugh Riddle
VVilliam Darling
George Danſon
Samuel Morwell
VVilliam Church
Thomas Gerrat
John Franſhaw
Peter Le Fever
Thomas VVills
Roger Pye
Roger Gorſuch
Richard Scot

VVilliam Daviſon
VVilliam Child.

The Names of the *French-Men.*

Pierre Rayon
Jacque Ardoen
Ranee Marraûd
Jean Richardeau
Jean Duplaiſſee
Ranie Froger Gabié,
Rannet Thobie
Jean Gumar
Allan Pygan
Jean Dugau
Ethien Gilliot
Jean Gitton
Jean L' Evecque
Pierre Croiſſie
Lewis Arnaut
Methurim Roulau
Jean Pacqnet
Pierre Sbellot.

Total 74.

A

LIST

OF THE

Pyrates ſentenced to Death.

Whereof were executed 52.

THomas Sutton, Gunner
Wm Magnes, Richard Hardy, David Sympſon } Quarter-Maſters.
Chriſtopher Moody
Valentine Aſhplam
} April 3

Peter Divine
William Phillips
Philip Bill
William Main, Boatſwain
William Mackintoſh
William Williams
} — 9

Agge Jacobſon
Michael Mare
James Clements
John Parker
Marcus Johnſon
William Petty
Robert Crow
Robert Haws
John Phillips
William Fernon
Daniel Harding
John Jaynſon
Joſeph More
Abraham Harper
} — 11

James Skyrm
John Walden
Iſrael Hynde
Peter Scudamore
} — 13

John Mansfield
John Stevenſon
Robert Birtſon
Richard Harris
William Williams (2d)
Charles Bunce
Peter Laſhly
Joſeph Noſſiter
} — 16

William Wood
Robert Johnſon
George Smith
Cuthbert Goſs
Edward Watts
Thomas Giles
William Davies
William Watts
James Phillips
John Jeſſop
Benjamin Jeffrys
John Coleman
Robert Armſtrong
Robert Hays
} — 26

Execution respited till the King's Pleasure is known.

George Wilson
Thomas Ouchterlauny

Whereof Sentence was changed for seven Years Servitude in *Africa*, 20.

Thomas How
Samuel Fletcher
John Lane
David Littlejohn
John Jessop (2d)
John King
Henry Dennis
Hugh Harris
William Taylor
Thomas Owen
John Mitchell
Joshuah Lee
William Shuren
Robert Hartly (2d)
David Rice
John Griffin
James Crosby
James Greenham
Roger Scot
John Horn

Referred to *Marshalsea*.

Robert Bevins
James Harris
William Mead
Christopher Lang
John Willden
Andrew Ranee
John Du Frock
James Barrow
James Crane
Thomas Withstandyenot
Isaac Russel
Hercules Hunkins
Robert Fletcher
Henry Graves
John Rimer
George Ogle
James Couzins.

Executed	52
Respited	2
Servitude	20
Marshalsea	17
Total	91

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